

servicemembers from the Central Valley recently sustained serious injuries overseas, and I wish them and their families comfort and strength during these difficult times and a speedy recovery.

Staff Sergeant Christian Hughes and Senior Airman Phillip Newlyn, both of Fresno, California, are at Walter Reed Medical Center; and I ask my colleagues to join me in honoring these soldiers, their courage, and their service to their country and wish them a smooth and speedy recovery.

#### THANK YOU, COMMANDER CARNEY

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

Mr. KIRK. Mr. Speaker, I want to praise one of my colleagues from the other side of the aisle, my shipmate in the Navy, Congressman CHRIS CARNEY.

CHRIS is a commander in the Navy and just completed 2 weeks of active duty. He served as a combat mission operations commander for the Predator and Reaper Hunter/Killer UAVs, as well as the Global Hawk.

Commander CARNEY was the first sailor to be certified as a mission commander, now with the call sign of "Big House." Over the past couple of weeks, his unit flew dozens of missions over Afghanistan and Iraq providing our troops with intel and reconnaissance. They also took out Taliban terrorists with Hellfire missiles and helped with the search and rescue of Americans.

If you see Commander Congressman CHRIS CARNEY back at work today, thank him for his service to our Nation in uniform as one of our citizen-sailors.

#### WHITE HOUSE ATTACKS FOX NEWS FOR TELLING TRUTH

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

Mr. SMITH of Texas. Mr. Speaker, with unemployment at a 26-year high, a record budget deficit, and a looming health care bill that punishes taxpayers and bankrupts the government, what is the White House doing? They are attacking Fox News for telling the truth.

The White House spokesman says that Fox News "is not a news organization." We need to fact-check the White House on whatever they say about Fox and any legislation since they are not being straight with the American people.

Separate studies by the Pew Research Center and the Center for Media and Public Affairs found that Fox News coverage is more balanced than any other network. The White House has no problem with other national news outlets because they offer biased reports and give the administration a free pass. In fact, network news programs have favored proponents of the administra-

tion's health care proposal over critics of the plan by a margin of more than 2-1, according to the Business and Media Institute.

The White House, like the national media, should let the American people make up their own minds, not try to control what they hear.

#### HEALTH CARE'S IMPACT ON SMALL BUSINESS

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

Mr. SMITH of Nebraska. Mr. Speaker, for generations, America's small businesses have been the engines driving our economy, and they remain one of our brightest hopes for economic recovery.

These entrepreneurs represent more than 99 percent of all businesses in the country and create more than 72 percent of the new jobs. Yet, under the guise of health care reform, Congress is set to punish these innovators by leveling more than \$200 billion in new taxes. Those are taxes. The result of these new taxes will be the loss of an estimated 5.5 million jobs.

Our economy is in a precarious situation, the Federal deficit stands at \$1.42 trillion, and 263,000 jobs were lost in September alone. Why would we want to push a government takeover of health care inflicting further harm on small businesses—the very strength of our economy?

#### WHAT HAPPENED TO AUGUST

(Mr. DANIEL E. LUNGREN of California asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DANIEL E. LUNGREN of California. Mr. Speaker, there has been a lot of discussion over Fox News, but last night I watched ABC News as they talked about the new poll put out by ABC and The Washington Post. And I scratched my head as I listened to them talk about the fact the American people now support a public option. The American people are rallying to the side of ObamaCare. And I wondered how much out of step with America would my constituents be, could all of these people who showed up at these town hall meetings be; and then I had a chance to look at the questions.

You ought to examine those questions. I mean, they put the public option in a box and tied a red ribbon around it. I might have even voted for it. And if you look at the difference in the responses of those questions as we had through this entire year, it shows there hasn't been that much of a change.

Now, I guess ABC News has joined the White House and the Democratic leadership in having us ignore August. What happened to August, Mr. Speaker? The American people spoke, and yet the leaders in this body and the

White House pretended it didn't happen.

We cannot ignore the American people despite what ABC and The Washington Post may try to tell us.

#### COMMUNICATION FROM THE CLERK OF THE HOUSE

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

OFFICE OF THE CLERK,  
HOUSE OF REPRESENTATIVES,  
Washington, DC, October 19, 2009.

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

DEAR MADAM SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, I have the honor to transmit a sealed envelope received from the White House on Friday, October 16, 2009 at 2:18 p.m., and said to contain a message from the President whereby he makes a determination and certification of Haiti's compliance with HOPE II requirements under PL 110-246.

With best wishes, I am

Sincerely,

LORRAINE C. MILLER,  
*Clerk of the House.*

#### HAITIAN HEMISPHERIC OPPORTUNITY THROUGH PARTNERSHIP ENCOURAGEMENT ACT OF 2008—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 111-69)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and referred to the Committee on Ways and Means and ordered to be printed:

*To the Congress of the United States:*

The Haitian Hemispheric Opportunity through Partnership Encouragement Act of 2008 (HOPE II) (the "Act") (Public Law 110-246), amended the Caribbean Basin Economic Recovery Act (CBERA) to make certain additional products from Haiti eligible for preferential tariff treatment. Under HOPE II, these imports from Haiti will continue to be eligible for preferential treatment after October 18, 2009, if I determine and certify that Haiti has met certain eligibility criteria set out in the Act.

Since enactment of HOPE II, Haiti has issued a decree establishing an independent labor ombudsman's office, and the President of Haiti has selected a labor ombudsman following consultation with unions and industry representatives. In addition, Haiti, in cooperation with the International Labor Organization, has established a Technical Assistance Improvement and Compliance Needs Assessment and Remediation (TAICNAR) Program. Haiti has also implemented an electronic visa system that acts as a registry of Haitian producers of articles eligible for duty-free treatment and has made participation in the TAICNAR Program a condition of using this visa system.

In light of these actions and in accordance with section 213A of CBERA, as amended, I have determined and hereby certify that Haiti: (i) has implemented the requirements set forth in sections 213A(e)(2) and (e)(3); and (ii) is requiring producers of articles for which duty-free treatment may be requested under section 213A(b) to participate in the TAICNAR Program and has developed a system to ensure participation in such program by such producers, including by developing and maintaining a registry of producers.

BARACK OBAMA.

THE WHITE HOUSE, October 16, 2009.

□ 1415

COMMUNICATION FROM THE  
CLERK OF THE HOUSE

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

OFFICE OF THE CLERK,  
HOUSE OF REPRESENTATIVES,  
Washington, DC, October 19, 2009.

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

DEAR MADAM SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, I have the honor to transmit a sealed envelope received from the White House on Friday, October 16, 2009 at 2:18 p.m., and said to contain a message from the President whereby he submits a copy of a notice filed earlier with the Federal Register continuing the emergency with respect to significant narcotics traffickers centered in Colombia first declared in Executive Order 12978 of October 21, 1995.

With best wishes, I am  
Sincerely,

LORRAINE C. MILLER,  
Clerk of the House.

CONTINUATION OF THE NATIONAL  
EMERGENCY WITH RESPECT TO  
SIGNIFICANT NARCOTICS TRAF-  
FICKERS CENTERED IN COLOM-  
BIA—MESSAGE FROM THE  
PRESIDENT OF THE UNITED  
STATES (H. DOC. NO. 111-70)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Foreign Affairs and ordered to be printed:

To the Congress of the United States:

Section 202(d) of the National Emergencies Act, 50 U.S.C. 1622(d), provides for the automatic termination of a national emergency unless, prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent to the Federal Register for publication the enclosed notice stating that the emergency declared with respect to significant nar-

cotics traffickers centered in Colombia is to continue in effect beyond October 21, 2009.

The circumstances that led to the declaration on October 21, 1995, of a national emergency have not been resolved. The actions of significant narcotics traffickers centered in Colombia continue to pose an unusual and extraordinary threat to the national security, foreign policy, and economy of the United States and to cause an extreme level of violence, corruption, and harm in the United States and abroad. For these reasons, I have determined that it is necessary to maintain economic pressure on significant narcotics traffickers centered in Colombia by blocking their property and interests in property that are in the United States or within the possession or control of United States persons and by depriving them of access to the U.S. market and financial system.

BARACK OBAMA.

THE WHITE HOUSE, October 16, 2009.

ANNOUNCEMENT BY THE SPEAKER  
PRO TEMPORE

The SPEAKER pro tempore. The Chair would like to make an announcement regarding decorum in the Chamber.

The Chair must remind all Members that under clause 5 of rule XVII and the resolution adopted by the House on July 17, 1979, as implemented by Speakers under clause 2 of rule I, the standard of dress on the floor of the House is proper business attire: for gentlemen, coat and tie. The donning of a lab coat or other attire in the nature of a distinctive uniform of another occupation is not proper.

The Chair expects the cooperation of all Members in upholding this standard of decorum.

ANNOUNCEMENT BY THE SPEAKER  
PRO TEMPORE

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

Record votes on postponed questions will be taken after 6:30 p.m. today.

FAIR CREDIT REPORTING ACT  
AMENDMENT

Mr. ADLER of New Jersey. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3763) to amend the Fair Credit Reporting Act to provide for an exclusion from Red Flag Guidelines for certain businesses.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3763

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

SECTION 1. EXCLUSION FOR CERTAIN SMALL  
BUSINESSES.

(a) IN GENERAL.—Section 615(e) of the Fair Credit Reporting Act (15 U.S.C. 1681m(e)) is amended by adding at the end the following new paragraphs:

“(4) EXCLUSION FOR CERTAIN BUSINESSES.—For purposes of this subsection, the term ‘creditor’ shall not include—

“(A) a health care practice with 20 or fewer employees;

“(B) an accounting practice with 20 or fewer employees;

“(C) a legal practice with 20 or fewer employees; or

“(D) any other business, if the Commission determines, following an application for exclusion by such business, that such business—

“(i) knows all of its customers or clients individually;

“(ii) only performs services in or around the residences of its customers; or

“(iii) has not experienced incidents of identity theft and identity theft is rare for businesses of that type.

“(5) LIMITATION ON EXCLUSION FOR BUSINESSES NO-LONGER ELIGIBLE.—To the extent that a business can no longer demonstrate that it meets the criteria under paragraph (4) that permitted its exclusion from the term ‘creditor’, such exclusion shall no longer apply.

“(6) DEFINITIONS.—For purposes of this subsection:

“(A) EMPLOYEE.—With respect to a business, the term ‘employee’ means any individual who works for such business and is paid either wages or a salary.

“(B) HEALTH CARE PRACTICE.—

“(i) IN GENERAL.—The term ‘health care practice’ means a business that’s primary service is providing health care via health care professionals employed by the business.

“(ii) HEALTH CARE PROFESSIONAL.—For purposes of subparagraph (A), the term ‘health care professional’ means an individual engaged in providing health care and licensed under State law, including physicians, dentists, podiatrists, chiropractors, physical therapists, occupational therapists, marriage and family therapists, optometrists, speech therapists, language therapists, hearing therapists, and veterinarians.”.

(b) PROCESS FOR EXCLUSION APPLICATIONS.—Not later than 180 days after the date of the enactment of this Act, the Federal Trade Commission shall issue regulations, in accordance with section 553 of title 5, United States Code, that set forth the process by which a business may apply for an exclusion under section 615(e)(4)(D) of the Fair Credit Reporting Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Jersey (Mr. ADLER) and the gentleman from New York (Mr. LEE) each will control 20 minutes.

The Chair recognizes the gentleman from New Jersey.

GENERAL LEAVE

Mr. ADLER of New Jersey. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on this legislation and to insert extraneous material thereon.

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

There was no objection.

Mr. ADLER of New Jersey. Mr. Speaker, I yield myself as much time as I may consume.

First, I want to thank Representatives MICHAEL SIMPSON from Idaho,