

served but keeps saying that the heroes are still buried in places throughout the world.

Each Memorial Day all across America, parades are held, wreaths are laid, grave sites are decorated as a tribute to our fallen warriors. On Veterans Day, we remember those who fought and came home, but on Memorial Day, we remember those who fought and did not come home.

The Department of Veterans Affairs preserves 128 cemeteries all over the world that are the final resting place for over 3 million Americans. These national cemeteries and memorials remind us of the warriors who have fought and gave all to protect the rest of us. When called, they went.

I am pleased to support this legislation and urge all Members to approve this resolution.

As Toby Keith so eloquently put it in his tribute to the American soldiers, he said about the American soldier: "I don't do it for money, there's bills that I can't pay. I don't do it for the glory, I just do it anyway. I'm an American soldier, an American beside my brothers and sisters, I will proudly take a stand. When liberty's in jeopardy I will always do what's right. I'm out here on the front lines, so sleep in peace tonight. I'm an American soldier."

These warriors, Mr. Speaker, are our sons of liberty and the daughters of democracy. They are our heroes, and they need to be honored and remembered by the rest of us for all time.

And that's just the way it is.

Mr. FILNER. I continue to reserve.

Mr. BOOZMAN. Mr. Speaker, that was my last speaker on the subject.

I want to thank Mr. ROE of Tennessee for bringing this forward in a very timely way and such an important message that we remember those that have sacrificed so much for all of us.

I want to thank Committee Chairman BOB FILNER and Ranking Member STEVE BUYER for allowing us to go forward with the bill, and certainly I want to urge all of my colleagues to support H. Res. 360.

And with that, having no further speakers, I yield back the balance of my time.

#### GENERAL LEAVE

Mr. FILNER. 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 House Resolution 360.

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

There was no objection.

Mr. FILNER. Mr. Speaker, the United States has fought wars throughout our history to restore both freedom and dignity inside of its own borders, as well as around the world. We have shed our blood and spent our national treasure fighting these wars. On Memorial Day, the Nation is reminded of the phrase spoken constantly, that freedom is not free.

These wonderful commemorative sites that we spoke of today inspire patriotism, invoke gratitude, serve as a permanent and lasting reminder of the sacrifices made by the men and women of the United States military. They are reminders of America's willingness to come to the defense of others, to protect the freedom and liberty of its people, and ensure the prosperity of our Republic.

Mr. Speaker, I urge my colleagues to unanimously support House Resolution 360.

Mr. SALAZAR, Mr. Speaker, I rise today in support of H. Res. 360, a bill encouraging all Americans to honor our veterans by visiting national cemeteries and memorials this Memorial Day.

Since 1862, more than three million burials have been made in VA national cemeteries.

National cemeteries are the testimony of a grateful nation to appropriately commemorate the Americans who have served our nation in the armed forces.

My home state of Colorado has a population of over 427,000 veterans.

I am proud to represent a district that is home to almost 70,000 veterans.

As a veteran myself, I know how much of an honor it was to serve my country during the Vietnam era.

My father, Henry Salazar, was a staff sergeant in the Army during World War II.

Two years after being diagnosed with Alzheimer's, my father came down to breakfast one morning and told us that he wanted to be buried in his uniform.

As I held my father just before he passed away he told me that he loved me and his last word was "Uniform."

Throughout the four years that my father lived with Alzheimer's, the two things he never forgot were how much he loved his family and how proud he was to serve his country.

It is this dedication to duty and unyielding commitment that have ensured our freedom and our way of life even in our nation's most troubled times.

The courage and sacrifices of our veterans set a necessary example to our youth and all Americans.

Their stories are important chapters in the history of our nation.

That is why I am working with members of the Colorado delegation to bring a national veterans cemetery to southern Colorado.

Current standards place many VA cemeteries closer to large metropolitan areas.

This is an issue that is faced by veterans in small and rural communities similar to those in the Third Congressional District of Colorado.

I look forward to continue working on issues that improve the lives of our veterans and honor their service.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. FILNER) that the House suspend the rules and agree to the resolution, H. Res. 360.

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. ROE of Tennessee. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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

#### SUPPORTING NATIONAL WOMEN'S HEALTH WEEK

Mrs. CAPPS. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 120) supporting the goals and ideals of National Women's Health Week, and for other purposes, as amended.

The Clerk read the title of the concurrent resolution.

The text of the concurrent resolution is as follows:

#### H. CON. RES. 120

Whereas women of all backgrounds should be encouraged to greatly reduce their risk of common diseases through preventative measures, such as engaging in regular physical activity, eating a nutritious diet, and visiting a healthcare provider to receive regular check-ups and preventative screenings;

Whereas significant disparities exist in the prevalence of disease among women of different backgrounds, including women with disabilities, African-American women, Asian/Pacific Islander women, Latinas, and American Indian/Alaskan Native women;

Whereas healthy habits should begin at a young age;

Whereas preventative care saves Federal dollars designated for health care;

Whereas it is imperative to educate women and girls about key female health issues;

Whereas it is recognized that offices of women's health within the Department of Health and Human Services, the Food and Drug Administration, the Centers for Disease Control and Prevention, the Health Resources and Services Administration, the National Institutes of Health, and the Agency for Healthcare Research and Quality provide services that support women's health research, education, and other services that benefit women of all ages, races, and ethnicities;

Whereas the annual National Women's Health Week begins on Mother's Day and celebrates the efforts of national and community organizations working with partners and volunteers to improve awareness of key women's health issues; and

Whereas in 2009, the week of May 10 through May 16 is designated National Women's Health Week: Now, therefore, be it

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

(1) recognizes the importance of preventing diseases that commonly affect women;

(2) supports the goals and ideals of National Women's Health Week;

(3) calls on the people of the United States to use National Women's Health Week as an opportunity to learn about the health issues women face;

(4) calls on the women of the United States to observe National Women's Check-Up Day by receiving preventative screenings from their health care providers; and

(5) recognizes the importance of Federal, State, and private programs that provide research and collect data on common diseases in women.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from California (Mrs. CAPPS) and the gentlewoman from Tennessee (Mrs. BLACKBURN) each will control 20 minutes.

The Chair recognizes the gentlewoman from California.

## GENERAL LEAVE

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

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

There was no objection.

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

I rise today in strong support of H. Con. Res. 120, recognizing National Women's Health Week, and I'd like to commend my colleagues, Mr. HINCHEY and Mrs. BONO MACK, for introducing this legislation.

We have worked together on this recognition for several years now. This year marks the 10th anniversary of National Women's Health Week. It's an opportunity to recognize the progress made in women's health.

Much of this progress is due to the offices of women's health in multiple key Federal agencies. These offices work to promote research on women's health issues and the provision of important women's health services. In fact, the office of Women's Health at the Department of Health and Human Services just celebrated 10 years of the womenshealth.gov Web site.

What this resolution rightly notes is that women's health issues matter throughout a woman's lifespan. Promoting health education among girls and women of all ages will increase healthy behaviors and the use of important preventive screenings and services.

This resolution also notes that there are significant disparities among women of different racial and ethnic backgrounds and women with disabilities, all of which must be considered and taken into account as we address women's health.

I urge my colleagues to join in the bipartisan sponsorship of this bill and supporting National Women's Health Week.

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

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

I want to first express my appreciation to Mrs. CAPPS, who is also a member of the Energy and Commerce Committee and has been a very outspoken and consistent supporter of women's health and women's health issues, and we have worked on many of those in committee and certainly continue to raise awareness of women's health.

One such instrument that is placed before us that we can use is National Women's Health Week, and May 10-16 was that week, and this is, as Mrs. CAPPS stated, the 10th annual National Women's Health Week. And I think it is so fitting, Mr. Speaker, that it was kicked off this year on Mother's Day and how very appropriate that it started on Mother's Day. And I think the

gentlelady from California will join me in saying it's also Grandmother's Day, those of us who do delight in those grandchildren.

The nationwide initiative empowers women across the country to make their health a top priority and ensure they take the steps to live a longer, healthier and happier life. And certainly, we are so pleased that there is that emphasis on women's health and having women make the decision to have their health and their well-being be a top priority in their life.

I would like to express my gratitude to the national and community organizations in working to promote public awareness of National Women's Health Week and provide the proper information to encourage women and girls that healthy habits should begin at a very young age.

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The efforts of the national community to support regular checkups and preventive screenings will help to prevent diseases that commonly affect women.

I would also like to thank the author of the resolution, the gentleman from New York (Mr. HINCHEY) for taking his efforts and energy and his time in order to place an emphasis on women's health, and to say thank you for his leadership in improving awareness of women's key health issues.

I encourage all of my colleagues to vote in favor of the resolution, and I reserve the balance of my time.

Mrs. CAPPS. Mr. Speaker, I am pleased now to yield to the gentleman from New York (Mr. HINCHEY) for such time as he may consume.

Mr. HINCHEY. Mr. Speaker, I would like to take a moment, first of all, to express my appreciation to Chairman WAXMAN for supporting this resolution and for helping to bring it to the floor today. Also, I would like to thank Mr. HOYER for his determination in bringing this measure to the floor to honor National Women's Health Week, despite the very crowded schedule that we have.

I would also like to thank Chairman PALLONE and all the fine members of the Energy and Commerce Health Subcommittee for their work on women's health issues and for making it possible for this resolution to reach the floor.

Finally, and most importantly, I would like to thank my good friends Congresswoman LOIS CAPPS and Congresswoman MARY BONO MACK for taking the lead with me on this resolution for the fourth time in a row. And MARSHA, I thank you very much also for your statement today and your participation in getting this legislation passed.

This resolution has the bipartisan sponsorship of 117 Members. The National Council of Women's Organizations fully endorsed this bill on behalf of its more than 200 member organizations representing more than 10 million women nationwide.

National Women's Health Week begins annually on Mother's Day. This year marks the 10th annual National Women's Health Week that we have experienced and honored.

National Women's Health Week is a week celebrated across America. During this week, families, communities, businesses, government, health organizations, and other groups work together to educate women about steps they could take to improve their physical and mental health to prevent disease and to enable them to live longer and stronger.

This week is also used as an opportunity to educate the entire population of our country about important health issues that women face.

This resolution recognizes the importance of a number of things, including preventing diseases that commonly affect women, federally funded programs that provide research and collect data on common diseases that women are subject to, and also calls on women to observe National Women's Check-up Day by receiving preventive screenings.

It is vitally important that women have knowledge about the health risks that confront them and that they know they can greatly reduce those risks through preventive measures such as a healthy lifestyle and regular medical screenings.

Healthy habits should begin at a young age; therefore, it is imperative that we take the time to educate young girls on the benefits of exercise and proper eating. If these habits start at a young age, it is more likely that they will continue throughout their lives.

It is important and essential that we do everything we can to prevent disease. In this spirit, I encourage women to get the necessary checkups and preventive screenings from their health care providers so they can live long, healthy, and productive lives.

I urge full support and passage of this measure.

Mrs. BLACKBURN. Mr. Speaker, at this time there are no further speakers from our side of the aisle, so I will thank Mr. HINCHEY for his wonderful work on this. I will thank Mrs. CAPPS for the bipartisan efforts that we have put into addressing the issues that affect women in leading healthy, productive lives.

I yield back the balance of my time.

Mrs. CAPPS. Mr. Speaker, I will just make the comment that it is exceedingly gratifying to notice the leadership of our colleague from New York, Mr. HINCHEY, and other men who realize that Women's Health Week really affects their lives as well, because women are often the leaders within the family setting and the educators and the standard bearers often for communities as well. So we are talking about awareness of national women's health, which really is also talking about health for us all.

And I'm pleased also to note that our bipartisan caucus for women's issues

has championed this resolution and is very grateful to the authors for introducing it and for this opportunity for us to recognize the 10th annual National Women's Health Week.

Mr. DINGELL. Mr. Speaker, I rise today in support of H. Con. Res. 120, a resolution supporting the goals and ideals of National Women's Health Week. Throughout my career as a member of Congress, I have consistently fought to ensure that all Americans have access to quality, affordable, and comprehensive health care. As a cosponsor of the Breast Cancer Patient Protection Act, a supporter of additional research on diseases that target women, and a longstanding advocate of securing health care for all women, I am pleased to support this resolution.

Women's health issues are of the utmost importance to me, and this resolution helps to promote awareness for healthy lifestyles and disease prevention for women. It is important to ensure that women both in Michigan's 15th District and across the United States understand the steps that can be taken to reduce the risk of disease, are aware of the disease disparities that exist among women from different backgrounds, and are exposed to healthy habits and key health issues from an early age. I understand that encouraging preventative care for women is important for reducing the cost of health care. As a longtime supporter of improvements to our Nation's health care system and increased research on women's health issues, I am pleased to support National Women's Health Week and to cosponsor H. Con. Res. 120.

Mrs. CAPPs. 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. CAPPs) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 120, as amended.

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

A motion to reconsider was laid on the table.

#### PACT ACT

Mr. WEINER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1676) to prevent tobacco smuggling, to ensure the collection of all tobacco taxes, and for other purposes, as amended.

The Clerk read the title of the bill.  
The text of the bill is as follows:

H.R. 1676

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

#### SECTION 1. SHORT TITLE; FINDINGS; PURPOSES.

(a) SHORT TITLE.—This Act may be cited as the "Prevent All Cigarette Trafficking Act of 2009" or "PACT Act".

(b) FINDINGS.—Congress finds that—

(1) the sale of illegal cigarettes and smokeless tobacco products significantly reduces Federal, State, and local government revenues, with Internet sales alone accounting for billions of dollars of lost Federal, State, and local tobacco tax revenue each year;

(2) Hezbollah, Hamas, al Qaeda, and other terrorist organizations have profited from

trafficking in illegal cigarettes or counterfeit cigarette tax stamps;

(3) terrorist involvement in illicit cigarette trafficking will continue to grow because of the large profits such organizations can earn;

(4) the sale of illegal cigarettes and smokeless tobacco over the Internet, and through mail, fax, or phone orders, makes it cheaper and easier for children to obtain tobacco products;

(5) the majority of Internet and other remote sales of cigarettes and smokeless tobacco are being made without adequate precautions to protect against sales to children, without the payment of applicable taxes, and without complying with the nominal registration and reporting requirements in existing Federal law;

(6) unfair competition from illegal sales of cigarettes and smokeless tobacco is taking billions of dollars of sales away from law-abiding retailers throughout the United States;

(7) with rising State and local tobacco tax rates, the incentives for the illegal sale of cigarettes and smokeless tobacco have increased;

(8) the number of active tobacco investigations being conducted by the Bureau of Alcohol, Tobacco, Firearms, and Explosives rose to 452 in 2005;

(9) the number of Internet vendors in the United States and in foreign countries that sell cigarettes and smokeless tobacco to buyers in the United States increased from only about 40 in 2000 to more than 500 in 2005; and

(10) the intrastate sale of illegal cigarettes and smokeless tobacco over the Internet has a substantial effect on interstate commerce.

(c) PURPOSES.—It is the purpose of this Act to—

(1) require Internet and other remote sellers of cigarettes and smokeless tobacco to comply with the same laws that apply to law-abiding tobacco retailers;

(2) create strong disincentives to illegal smuggling of tobacco products;

(3) provide government enforcement officials with more effective enforcement tools to combat tobacco smuggling;

(4) make it more difficult for cigarette and smokeless tobacco traffickers to engage in and profit from their illegal activities;

(5) increase collections of Federal, State, and local excise taxes on cigarettes and smokeless tobacco; and

(6) prevent and reduce youth access to inexpensive cigarettes and smokeless tobacco through illegal Internet or contraband sales.

#### SEC. 2. COLLECTION OF STATE CIGARETTE AND SMOKELESS TOBACCO TAXES.

(a) DEFINITIONS.—The Act of October 19, 1949 (15 U.S.C. 375 et seq.; commonly referred to as the "Jenkins Act") (referred to in this Act as the "Jenkins Act"), is amended by striking the first section and inserting the following:

##### "SECTION 1. DEFINITIONS.

"As used in this Act, the following definitions apply:

"(1) ATTORNEY GENERAL.—The term 'Attorney General' means the Attorney General of the United States.

"(2) ATTORNEY GENERAL.—The term 'attorney general', with respect to a State, means the attorney general or other chief law enforcement officer of the State.

"(3) CIGARETTE.—

"(A) IN GENERAL.—For purposes of this Act, the term 'cigarette' shall—

"(i) have the same meaning given that term in section 2341 of title 18, United States Code; and

"(ii) include 'roll-your-own tobacco' (as that term is defined in section 5702 of the Internal Revenue Code of 1986).

"(B) EXCEPTION.—For purposes of this Act, the term 'cigarette' does not include a 'cigar', as that term is defined in section 5702 of the Internal Revenue Code of 1986.

"(4) COMMON CARRIER.—The term 'common carrier' means any person (other than a local messenger service or the United States Postal Service) that holds itself out to the general public as a provider for hire of the transportation by water, land, or air of merchandise, whether or not the person actually operates the vessel, vehicle, or aircraft by which the transportation is provided, between a port or place and a port or place in the United States.

"(5) CONSUMER.—The term 'consumer' means any person that purchases cigarettes or smokeless tobacco, but does not include any person lawfully operating as a manufacturer, distributor, wholesaler, or retailer of cigarettes or smokeless tobacco.

"(6) DELIVERY SALE.—The term 'delivery sale' means any sale of cigarettes or smokeless tobacco to a consumer if—

"(A) the consumer submits the order for such sale by means of a telephone or other method of voice transmission, the mails, or the Internet or other online service, or the seller is otherwise not in the physical presence of the buyer when the request for purchase or order is made; or

"(B) the cigarettes or smokeless tobacco are delivered to the buyer by common carrier, private delivery service, or other method of remote delivery, or the seller is not in the physical presence of the buyer when the buyer obtains possession of the cigarettes or smokeless tobacco.

"(7) DELIVERY SELLER.—The term 'delivery seller' means a person who makes a delivery sale.

"(8) INDIAN COUNTRY.—The term 'Indian country' means—

"(A) Indian country as defined in section 1151 of title 18, United States Code, except that within the State of Alaska that term applies only to the Metlakatla Indian Community, Annette Island Reserve; and

"(B) any other land held by the United States in trust or restricted status for one or more Indian tribes.

"(9) INDIAN TRIBE.—The term 'Indian tribe', 'tribe', or 'tribal' refers to an Indian tribe as defined in section 4(e) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b(e)) or as listed pursuant to section 104 of the Federally Recognized Indian Tribe List Act of 1994 (25 U.S.C. 479a-1).

"(10) INTERSTATE COMMERCE.—The term 'interstate commerce' means commerce between a State and any place outside the State, commerce between a State and any Indian country in the State, or commerce between points in the same State but through any place outside the State or through any Indian country.

"(11) INTO A STATE, PLACE, OR LOCALITY.—A sale, shipment, or transfer of cigarettes or smokeless tobacco that is made in interstate commerce, as defined herein, shall be deemed to have been made into the State, place, or locality in which such cigarettes or smokeless tobacco are delivered.

"(12) PERSON.—The term 'person' means an individual, corporation, company, association, firm, partnership, society, State government, local government, Indian tribal government, governmental organization of such government, or joint stock company.

"(13) STATE.—The term 'State' means each of the several States of the United States, the District of Columbia, the Commonwealth of Puerto Rico, or any territory or possession of the United States.

"(14) SMOKELESS TOBACCO.—The term 'smokeless tobacco' means any finely cut, ground, powdered, or leaf tobacco, or other product containing tobacco, that is intended