

I reserve the balance of my time.

Mr. MOORE of Kansas. Mr. Speaker, I want to thank, again, my friend, the gentleman from New Jersey, SCOTT GARRETT, for his work on the bill. The Nonadmitted and Reinsurance Reform Act provides bipartisan, commonsense solutions to improve the regulation of the nonadmitted and reinsurance markets. So I urge my colleagues to support this bill.

Mr. BACHUS. Mr. Speaker, I want to express my support of H.R. 2571, the Nonadmitted and Reinsurance Reform Act of 2009, and urge my colleagues to vote for its passage under suspension of the rules today.

While there are many complex regulatory programs pending before our committee, today we are seeking to advance a modest but long-overdue measure to streamline the current system for surplus lines insurance and for reinsurance.

Surplus lines insurance, also known as “nonadmitted” insurance, is highly specialized property and casualty insurance for exceptional risks, such as hazardous materials or amusement parks.

H.R. 2571 would adopt a “home state” approach to address inconsistencies in state regulation of the surplus lines insurance market, and the bill generally follows the model law on nonadmitted insurance adopted by the National Association of Insurance Commissioners.

This legislation also addresses reinsurance in a similar way by designating the home state of the insurer purchasing reinsurance as the primary regulator of credit for reinsurance and the home state of the reinsurer as the primary regulator for the reinsurer’s solvency.

As an original cosponsor of H.R. 2571, I want to commend the bill’s primary sponsors, Oversight and Investigations Subcommittee Chairman MOORE and Capital Markets Subcommittee Ranking Member GARRETT.

They deserve credit for working together to move this bipartisan legislation through the House again this year and eventually we all hope into law.

I also want to commend Congresswoman BROWN-WAITE, the original champion of this effort in the 109th Congress as well as a lead cosponsor in the 110th Congress and an original cosponsor again in this Congress.

This will be the third time we are sending this important insurance reform proposal to the other body, and I hope our colleagues across the way will be able to see the value of enacting H.R. 2571 soon.

Mr. MOORE of Kansas. Mr. Speaker, I submit the following exchange of letters regarding H.R. 2571.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON THE JUDICIARY,
Washington, DC, September 9, 2009.

Hon. BARNEY FRANK,
Chairman, Committee on Financial Services,
House of Representatives, Washington, DC.

DEAR CHAIRMAN FRANK: In recognition of the desire to expedite consideration of H.R. 2571, the Nonadmitted and Reinsurance Reform Act of 2009, the Committee on the Judiciary agrees to waive formal consideration of the bill as to provisions that fall within its rule X jurisdiction.

The Committee takes this action with our mutual understanding that by foregoing consideration of H.R. 2571 at this time, it does not waive any jurisdiction over subject matter contained in this or similar legislation,

and that our Committee will be appropriately consulted and involved as the bill or similar legislation moves forward, so that we may address any remaining issues in our jurisdiction. The Committee also reserves the right to seek appointment of an appropriate number of conferees to any House-Senate conference involving this or similar legislation, and requests your support for any such request.

I would appreciate your including this letter in the Congressional Record during consideration of the bill on the House floor.

Thank you for your attention to this matter, and for the cooperative working relationship between our two committees.

Sincerely,

JOHN CONYERS, Jr.,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON FINANCIAL SERVICES,
Washington, DC, September 9, 2009.

Hon. JOHN CONYERS,
Chairman, Committee on the Judiciary, House of Representatives, Washington, DC.

DEAR CHAIRMAN CONYERS: Thank you for your letter concerning H.R. 2571, the “Nonadmitted and Reinsurance Reform Act of 2009.” This bill will be considered by the House shortly.

I want to confirm our mutual understanding with respect to the consideration of this bill. I acknowledge that portions of the bill fall within the jurisdiction of the Committee on the Judiciary and I appreciate your cooperation in moving the bill to the House floor expeditiously. I further agree that your decision to not to proceed with a markup on this bill will not prejudice the Committee on the Judiciary with respect to its prerogatives on this or similar legislation. I would support your request for conferees on those provisions within your jurisdiction in the event of a House-Senate conference.

I will include your letter and this response in the Congressional Record. Thank you again for your assistance.

BARNEY FRANK,
Chairman.

Mr. MOORE of Kansas. I yield back the balance of my time.

Mr. GARRETT of New Jersey. I also yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Kansas (Mr. MOORE) that the House suspend the rules and pass the bill, H.R. 2571.

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.

STAR-SPANGLED BANNER COMMEMORATIVE COIN ACT

Mr. WATT. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2097) to require the Secretary of the Treasury to mint coins in commemoration of the bicentennial of the writing of the Star-Spangled Banner, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2097

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 “Star-Spangled Banner Commemorative Coin Act”.

SEC. 2. FINDINGS.

The Congress finds as follows:

(1) During the Battle for Baltimore of the War of 1812, Francis Scott Key visited the British fleet in the Chesapeake Bay on September 7, 1814, to secure the release of Dr. William Beanes, who had been captured after the British burned Washington, DC.

(2) The release of Dr. Beanes was secured, but Key and Beanes were held by the British during the shelling of Fort McHenry, one of the forts defending Baltimore.

(3) On the morning of September 14, 1814, after the 25-hour British bombardment of Fort McHenry, Key peered through the clearing smoke to see a 42-foot by 30-foot American flag flying proudly atop the Fort.

(4) He was so inspired to see the enormous flag still flying over the Fort that he began penning a song, which he named *The Defence of Fort McHenry*, to commemorate the occasion and he included a note that it should be sung to the tune of the popular British melody *To Anacreon in Heaven*.

(5) In 1916, President Woodrow Wilson ordered that the anthem, which had been popularly renamed the *Star-Spangled Banner*, be played at military and naval occasions.

(6) On March 3, 1931, President Herbert Hoover signed a resolution of Congress that officially designated the *Star-Spangled Banner* as the National Anthem of the United States.

SEC. 3. COIN SPECIFICATIONS.

(a) \$1 SILVER COINS.—The Secretary of the Treasury (hereafter in this Act referred to as the “Secretary”) shall mint and issue the following coins in commemoration of the bicentennial of the writing of the *Star-Spangled Banner*:

(1) \$5 GOLD COINS.—Not more than 100,000 \$5 coins, which shall—

(A) weigh 8.359 grams;

(B) have a diameter of 0.850 inches; and

(C) contain 90 percent gold and 10 percent alloy.

(2) \$1 SILVER COINS.—Not more than 500,000 \$1 coins, which shall—

(A) weigh 26.73 grams;

(B) have a diameter of 1.500 inches; and

(C) contain 90 percent silver and 10 percent copper.

(b) LEGAL TENDER.—The coins minted under this Act shall be legal tender, as provided in section 5103 of title 31, United States Code.

(c) NUMISMATIC ITEMS.—For purposes of sections 5134 and 5136 of title 31, United States Code, all coins minted under this Act shall be considered to be numismatic items.

SEC. 4. DESIGN OF COINS.

(a) DESIGN REQUIREMENTS.—

(1) IN GENERAL.—The design of the coins minted under this Act shall be emblematic of the War of 1812 and particularly the Battle for Baltimore that formed the basis for the *Star-Spangled Banner*.

(2) DESIGNATION AND INSCRIPTIONS.—On each coin minted under this Act, there shall be—

(A) a designation of the value of the coin;

(B) an inscription of the year “2012”; and

(C) inscriptions of the words “Liberty”, “In God We Trust”, “United States of America”, and “E Pluribus Unum”.

(b) SELECTION.—The design for the coins minted under this Act shall be—

(1) selected by the Secretary, after consultation with the Maryland War of 1812 Bicentennial Commission and the Commission of Fine Arts; and

(2) reviewed by the Citizens Coinage Advisory Committee.

SEC. 5. ISSUANCE OF COINS.

(a) **QUALITY OF COINS.**—Coins minted under this Act shall be issued in uncirculated and proof qualities.

(b) **MINT FACILITY.**—Only one facility of the United States Mint may be used to strike any particular quality of the coins minted under this Act.

(c) **PERIOD FOR ISSUANCE.**—The Secretary may issue coins under this Act only during the calendar year beginning on January 1, 2012.

SEC. 6. SALE OF COINS.

(a) **SALE PRICE.**—The coins issued under this Act shall be sold by the Secretary at a price equal to the sum of—

- (1) the face value of the coins;
- (2) the surcharge provided in section 7 with respect to such coins; and
- (3) the cost of designing and issuing the coins (including labor, materials, dies, use of machinery, overhead expenses, marketing, and shipping).

(b) **BULK SALES.**—The Secretary shall make bulk sales of the coins issued under this Act at a reasonable discount.

(c) **PREPAID ORDERS.**—

(1) **IN GENERAL.**—The Secretary shall accept prepaid orders for the coins minted under this Act before the issuance of such coins.

(2) **DISCOUNT.**—Sale prices with respect to prepaid orders under paragraph (1) shall be at a reasonable discount.

SEC. 7. SURCHARGES.

(a) **IN GENERAL.**—All sales of coins issued under this Act shall include a surcharge of—

- (1) \$35 per coin for the \$5 coin; and
- (2) \$10 per coin for the \$1 coin.

(b) **DISTRIBUTION.**—Subject to section 5134(f) of title 31, United States Code, all surcharges received by the Secretary from the sale of coins issued under this Act shall be paid to the Maryland War of 1812 Bicentennial Commission for the purpose of supporting bicentennial activities, educational outreach activities (including supporting scholarly research and the development of exhibits), and preservation and improvement activities pertaining to the sites and structures relating to the War of 1812.

(c) **AUDITS.**—The Comptroller General of the United States shall have the right to examine such books, records, documents, and other data of the Maryland War of 1812 Bicentennial Commission as may be related to the expenditures of amounts paid under subsection (b).

(d) **LIMITATION.**—Notwithstanding subsection (a), no surcharge may be included with respect to the issuance under this Act of any coin during a calendar year if, as of the time of such issuance, the issuance of such coin would result in the number of commemorative coin programs issued during such year to exceed the annual 2 commemorative coin program issuance limitation under section 5112(m)(1) of title 31, United States Code (as in effect on the date of the enactment of this Act). The Secretary of the Treasury may issue guidance to carry out this subsection.

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

The Chair recognizes the gentleman from North Carolina.

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

Mr. Speaker, I rise in strong support of H.R. 2097, the Star-Spangled Banner Commemorative Coin Act, and applaud my colleague, Mr. **RUPPERSBERGER**, for introducing the bill.

The bill instructs the Secretary of the Treasury to mint and issue \$5 gold coins and \$1 silver coins in commemoration of the bicentennial of the writing of the “Star-Spangled Banner.” The issuing of this coin will begin during the calendar year. The “Star-Spangled Banner” is set to music to a poem entitled “In Defense of Fort McHenry” written in 1814 by Francis Scott Key, who wrote the poem after seeing the bombardment of Fort McHenry in Baltimore, Maryland, by the Royal British Navy during the War of 1812. The American victory and the sight of the large American flag that survived the 25-hour British bombardment inspired the poem and the anthem.

In 1916, President Woodrow Wilson ordered that the anthem, which had been popularly renamed the “Star-Spangled Banner,” be played at military and naval occasions. On March 6, 1931, President Herbert Hoover signed a resolution of Congress that officially designated the “Star-Spangled Banner” as the national anthem of the United States.

Throughout the course of American history, the “Star-Spangled Banner” has played a significant role in the democracy and freedom of this country and symbolizes our enduring respect for those who have fought and died to preserve the future of this great nation.

In the 110th Congress, similar legislation passed the House and had 298 cosponsors. I again urge my colleagues to support this legislation.

I reserve the balance of my time.

Mr. **LEE** of New York. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of H.R. 2097, the Star-Spangled Banner Commemorative Coin Act introduced by the gentleman from Maryland (Mr. **RUPPERSBERGER**).

This simple measure is designed to ensure that the United States properly pays tribute to an important moment in its history, namely, the writing of the “Star-Spangled Banner.”

The story of Francis Scott Key at Fort McHenry is familiar to Americans old and young alike, but it bears some retelling. It was on the night of September 13, 1814, that Mr. Key negotiated the release of Dr. William Beanes, taken captive by the British and held on board a vessel in Baltimore Harbor. Not long after securing the doctor’s release, Key and his party were not allowed to leave because they had become familiar with the British strength and positioning, as well as their attack strategy.

Over the next 25 hours they waited in the harbor as the British mercilessly bombarded Fort McHenry, all while remaining out of range of U.S. firepower.

When the barrage ended, Key peered out through the clearing smoke at daybreak to see in the distance the flag of the United States, its 15 stars and 15 stripes tattered but standing tall. In-

spired, Key scribbled down a poem that he later set to a British melody. More than a century later, an act of Congress declared that tune was this Nation’s anthem.

Mr. Speaker, as our Nation prepares to mark the 8th anniversary of the September 11 terrorist attacks, we are reminded not only of the many challenges that this Nation has faced in its history, but the symbols and words that have brought us together to endure these trials.

Five years from now the people of the State of Maryland will be joined by all Americans in celebrating the bicentennial of the writing of the “Star-Spangled Banner.” H.R. 2097, the Star-Spangled Banner Commemorative Coin Act, provides for the minting of coins in commemoration of this historic event and ensures that surcharges on the sales of these coins will be used to support activities related to the bicentennial, including education and outreach activities. All of these will be done at no cost to the taxpayers.

I want to again commend my colleague from Maryland (Mr. **RUPPERSBERGER**) for introducing this bipartisan measure. I urge its immediate passage.

I reserve the balance of my time.

Mr. **WATT**. I yield to Mr. **RUPPERSBERGER** from Maryland as much time as he may consume.

Mr. **RUPPERSBERGER**. Thank you.

I rise today to ask my colleagues to support H.R. 2097, the Star-Spangled Banner Commemorative Coin Act. This legislation will create a commemorative coin to honor America’s national anthem. I would particularly like to thank Chairman **FRANK** for his support.

The United States Mint creates two commemorative silver coins each year. The topic is congressionally directed. All expenses of minting, design and production of the coin are included in the final selling price of the coin. This bill does not trigger any PAYGO rules and is revenue neutral.

This happens to be the second time I’ve gathered more than 290 cosponsors and have been on the floor to speak about this bill.

The \$1 silver coin will be minted in 2012 for the 200th anniversary of the War of 1812. Proceeds will help fund the War of 1812 Bicentennial Commission, which will hold celebrations along the east coast kicking off in June of 2012 and running through September of 2014. These celebrations include a naval review, reenactment, festivals, historical lectures, parades, the creation of a national curriculum for students and the opportunity to honor the brave men and women who withstood the British during the War of 1812.

My hometown of Baltimore is proud to be the home of America’s national anthem. During a nightlong attack on Baltimore by British forces, Francis Scott Key was held captive aboard a British ship in the Chesapeake Bay. The morning after the bombardment, he looked out his window and saw a

large American flag had survived the assault, still flying proudly over Fort McHenry. He knew the American forces had successfully defended the city of Baltimore at the fort. The next day, he was inspired to pen his famous poem in honor of that event.

His brother-in-law, Judge Joseph H. Nicholson, set the poem to the tune of a popular British melody. A few days later, it was printed in Baltimore and quickly spread to newspapers from New Hampshire to Georgia. The song gained popularity and was often played at public events and Fourth of July celebrations. However, it would be many years before the "Star-Spangled Banner" became our official national anthem.

In 1916, President Woodrow Wilson ordered that the song be played at military events and other official occasions. By the late 1920s, a consensus formed across the country that America needed an official anthem. John Philip Sousa, a famous U.S. composer, argued in favor of the "Star-Spangled Banner" and on March 3, 1931, President Hoover signed legislation adopting it as the national anthem for the United States of America. For more than 75 years, the "Star-Spangled Banner" has evoked pride and patriotism among Americans.

I hope this collectable coin will inspire more Americans to learn the lyrics of the "Star-Spangled Banner" and the role Baltimore played in the history of our Nation during the War of 1812.

All Americans are welcome to come to Baltimore to visit Fort McHenry. Right now, Americans can enjoy the rich history of this country. There are Civil War battlefields being preserved; a Star-Spangled Banner trail being created which runs through Maryland, the District of Columbia, and Virginia; and the War of 1812 Commissions being organized in States from New York to Georgia.

Folks can visit the original Star-Spangled Banner flag here in Washington at the American Museum of National History.

I ask that my colleagues vote for H.R. 2097 and join me in honoring Francis Scott Key, "The Star-Spangled Banner," and the War of 1812—an event that changed the history of our Nation.

Mr. LEE of New York. Mr. Speaker, I have no further requests for time.

I yield back.

Mr. WATT. Mr. Speaker, I submit the following exchange of letters regarding H.R. 2097.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON WAYS AND MEANS,
Washington, DC, September 8, 2009.

Hon. BARNEY FRANK,
Chairman, Financial Services Committee,
Washington, DC.

DEAR CHAIRMAN FRANK: I am writing regarding H.R. 2097, the "Star Spangled Banner Commemorative Coin Act."

As you know, the Committee on Ways and Means maintains jurisdiction over bills that raise revenue. H.R. 2097 contains a provision that establishes a surcharge for the sale of

commemorative coins that are minted under the bill, and thus falls within the jurisdiction of the Committee on Ways and Means.

However, as part of our ongoing understanding regarding commemorative coin bills and in order to expedite this bill for Floor consideration, the Committee will forgo action. This is being done with the understanding that it does not in any way prejudice the Committee with respect to the appointment of Conferees or its jurisdictional prerogatives on this bill or similar legislation in the future.

I would appreciate your response to this letter, confirming this understanding with respect to H.R. 2097, and would ask that a copy of our exchange of letters on this matter be included in the Record.

Sincerely,

CHARLES B. RANGEL,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON FINANCIAL SERVICES,
Washington, DC, September 8, 2009.

Hon. CHARLES B. RANGEL,
Chairman, Committee on Ways and Means,
House of Representatives, Washington, DC.

DEAR CHARLIE: I am writing in response to your letter regarding H.R. 2097, the "Star-Spangled Banner Commemorative Coin Act," which was introduced in the House and referred to the Committee on Financial Services on April 23, 2009. It is my understanding that this bill will be scheduled for floor consideration shortly.

I wish to confirm our mutual understanding on this bill. As you know, section 7 of the bill establishes a surcharge for the sale of commemorative coins that are minted under the bill. I acknowledge your committee's jurisdictional interest in such surcharges as revenue matters. However, I appreciate your willingness to forego committee action on H.R. 2097 in order to allow the bill to come to the floor expeditiously. I agree that your decision to forego further action on this bill will not prejudice the Committee on Ways and Means with respect to its jurisdictional prerogatives on this or similar legislation. I would support your request for conferees on those provisions within your jurisdiction should this bill be the subject of a House-Senate conference.

I will include this exchange of letters in the Congressional Record when this bill is considered by the House. Thank you again for your assistance.

BARNEY FRANK,
Chairman.

Mr. WATT. Mr. Speaker, I simply encourage my colleagues to support this historic bill and thank Mr. RUPPERSBERGER for its introduction.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from North Carolina (Mr. WATT) that the House suspend the rules and pass the bill, H.R. 2097.

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. WATT. 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.

GENERAL LEAVE

Mr. WATT. 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 the bill just under consideration.

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

There was no objection.

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APPOINTING FRANCE A. CORDOVA TO BOARD OF REGENTS OF SMITHSONIAN INSTITUTION

Mr. BRADY of Pennsylvania. Mr. Speaker, I move to suspend the rules and pass the joint resolution (S.J. Res. 9) providing for the appointment of France A. Córdova as a citizen regent of the Board of Regents of the Smithsonian Institution.

The Clerk read the title of the joint resolution.

The text of the joint resolution is as follows:

S.J. RES. 9

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That, in accordance with section 5581 of the Revised Statutes (20 U.S.C. 43), the vacancy on the Board of Regents of the Smithsonian Institution, in the class other than Members of Congress, occurring by reason of the resignation of Eli Broad of California is filled by the appointment of France A. Córdova of Indiana. The appointment is for a term of 6 years, effective on the later of April 7, 2009, or the date of enactment of this joint resolution.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Pennsylvania (Mr. BRADY) and the gentleman from California (Mr. DANIEL E. LUNGREN) each will control 20 minutes. The Chair recognizes the gentleman from Pennsylvania.

GENERAL LEAVE

Mr. BRADY of Pennsylvania. Mr. Speaker, I ask that all Members have 5 legislative days to revise and extend their remarks on this legislation.

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

There was no objection.

Mr. BRADY of Pennsylvania. Mr. Speaker, I yield myself as much time as I may consume.

Mr. Speaker, this joint resolution will appoint Dr. France Córdova as a citizen regent of the Smithsonian Institution for a 6-year term beginning on the day of its enactment into law. The appointment would fill a long-standing vacancy and would bring the Board of Regents back up to full strength again for the first time in several years.

Dr. Córdova is the president of Purdue University in Indiana. She also served as chief scientist at NASA in the 1990s. The members of the Committee on House Administration met with her in July, and we found her to be very qualified to represent the