

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Virginia (Mr. CONNOLLY) that the House suspend the rules and agree to the resolution, H. Res. 1107.

The question was taken.

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

Ms. ROS-LEHTINEN. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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

□ 1600

PREVENT DECEPTIVE CENSUS LOOK ALIKE MAILINGS ACT

Mr. CLAY. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4621) to protect the integrity of the constitutionally mandated United States census and prohibit deceptive mail practices that attempt to exploit the decennial census, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4621

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 "Prevent Deceptive Census Look Alike Mailings Act".

SEC. 2. REQUIREMENTS FOR MAIL BEARING THE TERM "CENSUS" ON THE ENVELOPE OR OUTSIDE COVER OR WRAPPER.

(a) MATTER SOLICITING PURCHASE OF A PRODUCT OR SERVICE.—Section 3001(h) of title 39, United States Code, is amended—

(1) by inserting, in the matter preceding paragraph (1), "; or which bears the term 'census' on the envelope or outside cover or wrapper" after "such matter by the Federal Government";

(2) in paragraph (2), by redesignating subparagraphs (A), (B), and (C) as clauses (i), (ii), and (iii), respectively;

(3) by redesignating paragraphs (1), (2), and (3) as subparagraphs (A), (B), and (C), respectively;

(4) by inserting "(1)" after "(h)"; and

(5) by adding at the end the following new paragraph:

"(2) In the case of matter bearing the term 'census' on the envelope or outside cover or wrapper, in addition to satisfying one of the exceptions contained in paragraphs (1)(A), (1)(B), or (1)(C), such envelope or outside cover or wrapper bears on its face an accurate return address including the name of the entity that sent such matter."

(b) MATTER SOLICITING INFORMATION OR CONTRIBUTION OF FUNDS.—Section 3001(i) of title 39, United States Code, is amended—

(1) by inserting, in the matter preceding paragraph (1), "; or which bears the term 'census' on the envelope or outside cover or wrapper" after "such matter by the Federal Government";

(2) in paragraph (2), by redesignating subparagraphs (A), (B), and (C) as clauses (i), (ii), and (iii), respectively;

(3) by redesignating paragraphs (1), (2), and (3) as subparagraphs (A), (B), and (C), respectively;

(4) by inserting "(1)" after "(i)"; and

(5) by adding at the end the following new paragraph:

"(2) In the case of matter bearing the term 'census' on the envelope or outside cover or wrapper, in addition to satisfying one of the exceptions contained in paragraphs (1)(A), (1)(B), or (1)(C), such envelope or outside cover or wrapper bears on its face an accurate return address including the name of the entity that sent such matter."

The SPEAKER pro tempore (Mr. DOYLE). Pursuant to the rule, the gentleman from Missouri (Mr. CLAY) and the gentleman from New Jersey (Mr. GARRETT) each will control 20 minutes.

The Chair recognizes the gentleman from Missouri.

GENERAL LEAVE

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

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

There was no objection.

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

Mr. Speaker, I rise in support of H.R. 4621, as amended. I would like to thank Chairman TOWNS and Ranking Member ISSA of the Committee on Oversight and Government Reform, and Congresswoman MALONEY and Congressman CHAFFETZ for working with me on this legislation. As chairman of the Information Policy, Census, and National Archives Subcommittee, this legislation is of particular importance to me.

This legislation would require certain mailings which have the term "census" on the outside of the envelope to also include an accurate return address and the name of the sender on the envelope. H.R. 4621 would also mandate that such mailings follow existing legal requirements to include disclaimers making it clear that the mailing is not from the Federal Government.

H.R. 4621 was introduced on February 9, 2010, and referred to the Committee on Oversight and Government Reform. The committee approved the measure with a manager's amendment by voice vote on March 4, 2010.

In recent months, mailings which have the word "census" on the envelope and contents that resemble official census forms have been sent by the Republican National Committee and other nonprofit organizations to citizens in several States. The RNC mailings were marked "DO NOT DESTROY. OFFICIAL DOCUMENT." The envelope used in these mailings did not include a return address or identify the sender. Using these terms on the outside of the envelope without a return address and the name of the sender creates an appearance of an official government document.

Later this month, the Census Bureau will begin conducting the decennial census through the U.S. mail. The decennial census is mandated by article I, section 2, of the U.S. Constitution. This official government function provides an accurate portrait of the Amer-

ican population. The decennial census serves as a basis for the distribution of hundreds of billions of dollars for schools, hospitals, job training centers, and transportation projects.

In addition to conducting the decennial census every 10 years, the Census Bureau conducts surveys throughout the decade. For example, under the previous administration, the Bureau started the American Community Survey, which is an annual survey sent to a sample of the public. This survey helps communities understand where and how their population lives and permits the community to allocate resources accordingly.

Because legitimate census mailings are used for such important purposes, it is critical that the Census Bureau is able to receive accurate information and that American citizens continue to have confidence in census mailings. Increased confidence in the census will save taxpayers money by improving the response rate.

The Director of the Census Bureau, Robert Groves, has said that the Bureau will save \$85 million for every 1 percent increase in the mail-back response from recipients of the decennial census.

This bill is narrowly tailored to address the specific problems caused by census look-alike mailings. This bill would not prevent the use of the term "census" in mailings altogether; H.R. 4621 would merely require the sender to identify itself and include language clarifying that the mailing is not from the Federal Government.

Mailings by private organizations which appear to be from the Census Bureau, without a proper clarification or disclaimer, create a risk of confusion on the part of citizens who will be receiving actual census mailings this year. H.R. 4621 will help to prevent such confusion.

Mr. Speaker, I urge my colleagues to join me in supporting this legislation.

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

Mr. GARRETT of New Jersey. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I wish to thank Mrs. MALONEY for her introduction of H.R. 4621, the Prevent Deceptive Census Look Alike Mailings Act. What this bill will do is seek to prevent the word "census" from appearing on mail that does not pertain directly to the national census.

Currently we do have laws to address sending deceptive or fraudulent mail, and the Postal Inspection Service currently has responsibility for investigating allegations of this nature and determining if a violation has been committed. However, what this bill will do is simply reinforce and reiterate existing law.

This bill would give postal inspectors an additional tool, if you will, in addressing mail sent by those seeking to capitalize on the importance people place on the U.S. census—mail that

may be in a gray area where inspectors are unable to determine whether a violation has been committed or not.

The census is one of the most important functions of the Federal Government, particularly given the role it plays in our representative democracy, so confusion or reduced participation can affect political representation, and also whether a community receives its fair share of Federal dollars. So when a piece of mail says “census” on it, we want people to take it seriously, to read it and to respond to it. We must maintain public trust in this process and send the message to citizens that an accurate census is of paramount importance to all Americans.

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

Mr. CLAY. Mr. Speaker, I yield such time as she may consume to the gentlewoman from New York (Mrs. MALONEY).

Mrs. MALONEY. Mr. Speaker, I thank the gentleman for yielding and for his leadership in moving this bill to the floor. I also would like to thank Chairman TOWNS and Ranking Member ISSA, along with Congressmen CLAY and LYNCH, for their support and cooperation.

The 2010 census is here. Later this week, on March 12, 2010, forms will be hitting the mailboxes. That is why we must act quickly to ensure a fair and accurate count without disruption or confusion.

Many may not realize this, but the constitutionally mandated census is used to determine the distribution of billions of dollars in Federal funding into our States and our communities, in addition to determining the number of congressional seats per State. Participation in the census is essential to ensuring a brighter tomorrow for our communities and a representative government for our country.

It is because of this we must do everything possible to protect the integrity of the United States census and ensure that it is both accurate and cost-effective, and it's why the Congress has appropriated hundreds of millions of dollars to the Census Bureau to encourage participation.

Unfortunately, while the U.S. Government is working to encourage participation, there are some organizations that are causing confusion by sending mailers that resemble official census documents. These deceptive mailings include the words “census department,” “census document,” and “official document,” but are instead letters seeking support for other purposes.

If we allow organizations to send mock census documents or mock look-alikes of the census forms, we stand to confuse people and risk a lower response rate, which ultimately would increase the cost of the entire count. In fact, every percentage decrease in the mail response rate costs approximately \$25 million for the additional expense of sending enumerators to the homes of

those who do not respond to the mailing. After all, when people simply fill out the form and mail it back, it costs the least to our government.

Former Census Director Dr. Barbara Bryant, who served under President George H.W. Bush, has noted that there are documents that are intentionally made to look like the census in an effort to deceive. That is why I introduced H.R. 4621, the Prevent Deceptive Census Look Alike Mailings Act, and why I am grateful that we will pass this bill today with bipartisan support.

H.R. 4621 would require any mailing with an envelope marked “census” to clearly indicate the sender and return address. It would also trigger an existing requirement in Federal law to include a disclaimer that the mailing is not from or affiliated with the Federal Government.

The bill would not prohibit the use of the word “census” on a mailing if an organization wants to do a census and call it that. That is fine. However, the mailer must be absolutely clear that it is not the United States Government's census.

This bill will serve as an important tool in protecting the integrity of census mailings and save the taxpayer money in fulfilling the constitutionally mandated census by limiting any confusion that a deceptive census look-alike mailer could cause.

Finally, I would like to note that Senator CARPER intends to move this bill to the Senate floor once we pass it in the House. I thank my colleagues for moving swiftly on this issue, and urge my colleagues to vote yes.

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

Mr. CLAY. Mr. Speaker, again, I encourage my friends from both sides of the aisle to join me in supporting H.R. 4621, as amended, and again I thank the gentlewoman from New York for her leadership on this legislation.

Mr. HOYER. Mr. Speaker, entering its 23rd decade, the U.S. Census is the longest-running national census in the world. Our founders wrote it into the Constitution, because taking a fair count is an essential part of fair government. A comprehensive, accurate Census helps ensure that our common resources are distributed where they are most needed, so that our communities can get the roads, schools, and police protection that they need. There's nothing partisan about that goal.

Unfortunately, some groups have set out to deceive Americans by disguising their own private mailings as Census documents. This month, Americans have received envelopes marked “Census” and “official document,” when the papers inside are nothing of the kind—and sometimes even political fundraising appeals. Groups that send out such mailings are taking advantage of the Census to unfairly promote their own interests. And even worse, they are interfering with a fair and accurate Census by possibly depressing the response. According to Barbara Everitt Bryant, a former Republican appointee to head the U.S. Census Bureau, “those who respond

may feel they have been good citizens and already answered the census when their real questionnaires arrive next month.”

To stop that kind of cynical manipulation, I urge my colleagues to support the Prevent Deceptive Census Look Alike Mailings Act. It would require any mailing with an envelope marked “Census” to clearly indicate the sender, reducing the possibility of deception; it would also trigger an existing legal requirement that the mailing include a disclaimer stating that it is not affiliated with the U.S. Census. This bill won't prevent any organization from using the word “Census”—but it will stop private organizations from disguising themselves as the federal government.

This bill is an important way to ensure an unbiased count of all Americans, and I strongly support its passage.

Ms. JACKSON LEE of Texas. Mr. Speaker, I rise before you today in support of H.R. 4621, the “Prevent Deceptive Census Look Alike Mailings Act.” I would like to thank Representative MALONEY for introducing this important piece of legislation.

It is extremely important that we protect the integrity of the constitutionally mandated United States census and prohibit deceptive mail practices that attempt to exploit the decennial census. This legislation is vital because it will set requirements for mail bearing the term “census” on the envelope or outside cover or wrapper.

Protecting the integrity of the Census from fraudulent activity will ensure that the U.S. Census Bureau is able to gather more accurate data. Hopefully, this legislation will ease the fears of those afraid to be scammed and therefore do not respond to the Census. It is important that the American people are aware that the questions in the Census survey are used only to produce statistics, and never identify an individual. The Census Bureau never asks for a full social security number, money or a donation, requests on behalf of a political party or requests PIN codes, passwords or similar access information for credit cards, banks or other financial accounts.

The official U.S. Census is described in Article I, Section 2 of the Constitution of the United States. It calls for an actual enumeration of the people every ten years, to be used for apportionment of seats in the House of Representatives among the states. Besides providing the basis for congressional redistricting, Census data are used in many other ways. Since 1975, the Census Bureau has had responsibility to produce small-area population data needed to redraw state legislative and congressional districts. Other important uses of Census data include the distribution of funds for government programs such as Medicaid; planning the right locations for schools, roads, and other public facilities; helping real estate agents and potential residents learn about a neighborhood and identifying trends over time that can help predict future needs.

According to the PriceWaterHouse report on the 2000 Census, the Census Bureau has estimated that the Census 2000 undercounted the actual U.S. population by a net of over three million individuals, representing an undercount rate of 1.18 percent. I am particularly concerned about correcting undercounting problems because Harris County, Texas, which is situated in my district, ranked fourth of the fifty U.S. counties with the highest number of people living in hard-to-count

areas. In fact, 80.5 percent of the population in Harris County lives in hard-to-count areas. Even more astonishing, Harris County, Texas is one of eight counties estimated to lose over \$100 million each in federal funds from undercounting in the 2000 Census, according to the aforementioned Price Waterhouse report.

I urge my colleagues to support this legislation and protect the integrity of the constitutionally mandated United States census and prohibit deceptive mail practices that attempt to exploit the decennial census.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Missouri (Mr. CLAY) that the House suspend the rules and pass the bill, H.R. 4621, as amended.

The question was taken.

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

Mr. CLAY. 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.

□ 1615

SPC NICHOLAS SCOTT HARTGE
POST OFFICE

Mr. CLAY. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4624) to designate the facility of the United States Postal Service located at 125 Kerr Avenue in Rome City, Indiana, as the "SPC Nicholas Scott Hartge Post Office".

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4624

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

SECTION 1. SPC NICHOLAS SCOTT HARTGE POST OFFICE.

(a) DESIGNATION.—The facility of the United States Postal Service located at 125 Kerr Avenue in Rome City, Indiana, shall be known and designated as the "SPC Nicholas Scott Hartge Post Office".

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the "SPC Nicholas Scott Hartge Post Office".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Missouri (Mr. CLAY) and the gentleman from New Jersey (Mr. GARRETT) each will control 20 minutes.

The Chair recognizes the gentleman from Missouri.

GENERAL LEAVE

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

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

There was no objection.

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

I rise in support of H.R. 4624. This legislation will designate the facility of the U.S. Postal Service located at 125 Kerr Avenue in Rome City, Indiana, as the "SPC Nicholas Scott Hartge Post Office." Army Specialist Nicholas Hartge was raised in the small town of Rome City, in northeastern Indiana. After the terrorist attacks of September 11, 2001, Specialist Hartge enlisted in the infantry while still in high school and was stationed in Germany before deploying to Iraq.

On May 14, 2007, Specialist Hartge's patrol came under heavy attack. He was killed in combat when his Humvee hit a roadside bomb while maneuvering under intense fire.

For his service to his country, Specialist Hartge received a Commendation Medal for outstanding achievement for helping to capture the enemy in Iraq, and a Bronze Star for his actions on the day he was killed. He is missed by his family, his community, and his country. Our Nation owes a great debt of gratitude for his service.

H.R. 4624 was introduced by the gentleman from Indiana, Representative MARK SOUDER, on February 9, 2010. The measure was referred to the Committee on Oversight and Government Reform, which approved it by unanimous consent on March 4, 2010. The measure enjoys the support of the entire Indiana delegation.

Mr. Speaker, I urge my colleagues to join me in supporting this bill.

I reserve the balance of my time.

Mr. GARRETT of New Jersey. I yield myself such time as I may consume.

I rise today in support of H.R. 4624, designating the facility of the United States Post Office located at 125 Kerr Avenue in Rome City, Indiana, as the "SPC Nicholas Scott Hartge Post Office."

It was back on May 14, 2007, that Specialist Hartge met a tragic, yet heroic fate when his unit came in contact with enemy forces in Iraq. In honor of this fallen American hero, it is fitting and appropriate that we recognize the ultimate sacrifice that he made for his country.

He was raised in Rome City, Indiana. Specialist Hartge was profoundly affected by the 9/11 attacks on the United States. It was then that he decided that he wanted to, more than anything else, serve his country. Before graduating from East Noble High School, he enlisted in the Army. Just 1 week after graduation, he left for boot camp at Fort Benning.

In August 2006, he was deployed to Iraq, where he and his unit patrolled the difficult streets of the city. Risking his life every day, he served as a driver and a radio/telephone operator. Although he was one of the younger members of his unit, he distinguished himself as hard working, a good soldier, and the type of person his comrades could always count on. He believed in what he was fighting for. He believed and felt that they were really helping the people of Iraq.

While he was only 20 years old, he aspired to do something special with his

life. And, indeed, when we think about it, he did. He became a positive role model for those around him and those he surrounded himself with. He once told his fellow soldiers that "the Army doesn't give you values; it develops values that you already had from your parents." That's so true.

He is survived now by his parents, a sister and brother—a fellow soldier. Yes, this fine young man embodied the values and the passions of this great Nation. Sadly, he paid the ultimate sacrifice to preserve those freedoms for all of us.

Mr. Speaker, as I come to the floor and speak about this fallen soldier, I'm mindful of the fact that I was here only literally several weeks ago, submitting a similar resolution for a young man about the equal age, back from our district, from the Fifth Congressional District of the State of New Jersey. Likewise, in these circumstances we saw the outpouring of support from the people of his community on the day that he was returned once and for all to his final resting place in his hometown. At that time, members of his fire department, the mayor and council and, more importantly, the entire community came out and recognized him.

It was at that point we realized that it's a day to remember these fallen soldiers when they do come back. But that day is a fleeting day. Even when you talk to the parents of the soldiers at those funerals and the services, they don't really even remember it, in some ways. A week later, it was such a blur, just a fast passing, and all the commotion that went on that day. It was hard to remember who was there.

So I'm sure, like the speaker on the other side of the aisle and all the Members on the other side of the aisle agree, it's for this reason we come to the floor today and name the post office for Specialist Hartge, because we don't want to just make it a 1-day event. We don't want it to be an incident where the community comes out and pays respect at the church service and graveside. We don't want it to be a time that is in passing. We want to have something there in the community that, day in and day out, members of his family, other members of the community that he grew up with, his boyhood friends and the like, will be able to see his name on post office.

We also want to have something in the community that, days in the future, when future generations grow up, kids that he grew up with have grown up and gotten married and have children themselves and they come back to town, that they will see Specialist Hartge's name up there on the post office.

Maybe they will ask their parents, Who was that Specialist? Who was that name? Who was that soldier? And there will be people still around in the community who say, I remember him when