

for “Where are the jobs?” We need both parties to work together to promote small business job creation.

President Kennedy cut taxes and jobs grew. President Reagan cut taxes and more jobs were created. Republicans have offered positive alternatives using the proven policies from both parties which actually promote jobs.

In conclusion, God bless our troops, and we will never forget September the 11th in the Global War on Terrorism.

20TH ANNIVERSARY OF THE ADA

(Mrs. CAPPS asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. CAPPS. Mr. Speaker, the Honorable Mr. LANGEVIN, I rise today to recognize the 20th anniversary of the Americans with Disabilities Act and offer my strong support for H. Res. 1504.

Twenty years ago, the ADA declared that the millions of Americans living with disabilities had a right to reasonable accommodations in the workplace and access to public buildings. In doing so, it acknowledged for the first time the civil rights of these Americans who live independently to fully participate in all aspects of our society, our schools, our businesses, our communities.

Today we extend that participation to the Speaker's chair, and I want to acknowledge our colleague, Congressman LANGEVIN. His place today managing debate over the people's House is long overdue.

When President George H.W. Bush signed the ADA in 1990, the late Senator Ted Kennedy said, “Equal justice under the law is not a privilege but a fundamental birthright in America.” I couldn't agree more. We must protect the rights of men and women regardless of ability, mental capacity, or physicality. By removing barriers for people with disabilities, we allow America to be a society where equal justice prevails.

I urge support for H. Res. 1504.

TAX INCREASES DON'T CREATE JOBS

(Ms. FOXX asked and was given permission to address the House for 1 minute.)

Ms. FOXX. Mr. Speaker, I want to congratulate you also today on this historic day, and also all those who have made this day possible by making the House much more accessible to everyone who serves in the House.

But, Mr. Speaker, I must change the subject and say that in 5 months, the hardworking taxpayers of America will get hit with the largest tax increase in American history if this Congress doesn't act to forestall it.

That's right. Unless Congress acts, taxpayers will see tax rates go up across the board. This is completely unacceptable. During this period of

economic difficulty and high unemployment, these tax hikes will fall especially hard on the small businesses that have already borne the brunt of this bad economy. These are the same job-creating small businesses that represent our best hope for emerging with strength from this recession. Increasing their taxes now would be an economic poison pill that would kill economic growth and job creation. After all, Mr. Speaker, what tax increase ever created a job?

□ 1420

REPORT ON H.R. 5850, DEPARTMENTS OF TRANSPORTATION, AND HOUSING AND URBAN DEVELOPMENT, AND RELATED AGENCIES APPROPRIATIONS BILL, 2011

Mr. OLVER, from the Committee on Appropriations, submitted a privileged report (Rept. No. 111-564) on the bill (H.R. 5850) making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2011, and for other purposes, which was referred to the Union Calendar and ordered to be printed.

The SPEAKER pro tempore. Pursuant to clause 1, rule XXI, all points of order are reserved on the bill.

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 p.m. today.

RECOGNIZING 20TH ANNIVERSARY OF AMERICANS WITH DISABILITIES ACT

Mr. POLIS. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 1504) recognizing and honoring the 20th anniversary of the enactment of the Americans with Disabilities Act of 1990, as amended.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 1504

Whereas July 26, 2010, marks the 20th anniversary of the enactment of the Americans with Disabilities Act of 1990;

Whereas the Americans with Disabilities Act has been one of the most significant and effective civil rights laws passed by Congress;

Whereas, prior to the passage of the Americans with Disabilities Act, people with disabilities faced significantly lower employment rates, lower graduation rates, and higher rates of poverty than people without

disabilities, and were too often denied the opportunity to fully participate in society due to intolerance and unfair stereotypes;

Whereas the dedicated efforts of disability rights advocates, including Justin Dart, Jr., and many others, served to awaken Congress and the American people to the discrimination and prejudice faced by individuals with disabilities;

Whereas Congress worked in a bipartisan manner to craft legislation making such discrimination illegal;

Whereas Congress passed the Americans with Disabilities Act and President George Herbert Walker Bush signed the Act into law on July 26, 1990;

Whereas the purpose of the Americans with Disabilities Act is to fulfill the Nation's goals of equality of opportunity, independent living, economic self-sufficiency, and full participation for Americans with disabilities;

Whereas the Americans with Disabilities Act prohibits employers from discriminating against qualified individuals with disabilities, requires that State and local governmental entities accommodate qualified individuals with disabilities, requires places of public accommodation to take reasonable steps to make their goods and services accessible to individuals with disabilities, and requires that new trains and buses be accessible to individuals with disabilities;

Whereas the Americans with Disabilities Act has played a historic role in allowing over 50,000,000 Americans with disabilities to participate more fully in national life by removing barriers to employment, transportation, public services, telecommunications, and public accommodations;

Whereas the Americans with Disabilities Act has served as a model for disability rights in other countries;

Whereas all Americans, not just those with disabilities, benefit from the accommodations that have become commonplace since the passage of the Americans with Disabilities Act, including curb cuts at street intersections, ramps for access to buildings, and other accommodations that provide access to public transportation, stadiums, telecommunications, voting machines, and websites;

Whereas Congress acted with overwhelming bipartisan support in 2008 to restore protections for people with disabilities by passing the ADA Amendments Act of 2008, which overturned judicial decisions that had inappropriately narrowed the scope of the protected class under the Americans with Disabilities Act;

Whereas, 20 years after the enactment of the Americans with Disabilities Act, children and adults with disabilities continue to experience barriers that interfere with their full participation in mainstream American life;

Whereas, 20 years after the enactment of the Americans with Disabilities Act, people with disabilities are twice as likely to live in poverty as their fellow citizens and continue to experience high rates of unemployment and underemployment;

Whereas, 20 years after the enactment of the Americans with Disabilities Act, the largest income support and health care programs continue to operate in a manner that expects people with significant disabilities to be outside the economic mainstream and have limited income and assets;

Whereas, 20 years after the enactment of the Americans with Disabilities Act and 11 years after the Supreme Court's decision in *Olmstead v. L.C.*, many people with disabilities still live in segregated institutional settings because of a lack of support services that would allow them to live in the community;

Whereas, 20 years after the enactment of the Americans with Disabilities Act, new telecommunication, electronic, and information technologies continue to be developed while not being accessible to all Americans;

Whereas, 20 years after the enactment of the Americans with Disabilities Act, many public and private covered entities are still not accessible to people with disabilities; and

Whereas the United States has a responsibility to welcome back and create opportunities for the tens of thousands of working-age veterans of the Armed Forces who have been wounded in action or have received service-connected injuries while serving in Operation Iraqi Freedom and Operation Enduring Freedom: Now, therefore, be it

Resolved, That the House of Representatives—

(1) recognizes and honors the 20th anniversary of the enactment of the Americans with Disabilities Act of 1990;

(2) salutes all people whose efforts contributed to the enactment of the Americans with Disabilities Act;

(3) encourages all Americans to celebrate the advance of freedom and the opening of opportunity made possible by the enactment of the Americans with Disabilities Act; and

(4) pledges to continue to work on a bipartisan basis to identify and address the remaining barriers that undermine the Nation's goals of equality of opportunity, independent living, economic self-sufficiency, and full participation for Americans with disabilities.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Colorado (Mr. POLIS) and the gentleman from Wisconsin (Mr. PETRI) each will control 20 minutes.

The Chair recognizes the gentleman from Colorado.

GENERAL LEAVE

Mr. POLIS. Mr. Speaker, I request 5 legislative days during which Members may revise and extend and insert extraneous material on House Resolution 1504 into the RECORD.

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

There was no objection.

Mr. POLIS. Mr. Speaker, I am pleased to yield 1 minute to the gentleman from Maryland, Leader HOYER.

Mr. HOYER. I thank the gentleman from Colorado for yielding.

Speaker LANGEVIN, I congratulate you on taking the podium. I congratulate you on your extraordinary service to the people of Rhode Island and the people of our country. And I congratulate you for being an example of the can-do spirit that has made America such a great country.

Mr. Speaker, I am so pleased to be here on this, the 20th anniversary of the adoption of the Americans with Disabilities Act. I'm particularly pleased to be here on the floor with my former colleague and my lifetime friend Tony Coelho of the State of California. Tony Coelho was the Whip on our side of the aisle for a number of years, elected into that position very shortly after he took his seat in the Congress of the United States. He is a person of extraordinary ability, extraordinary energy, extraordinary focus, and extraordinary accomplishment.

But early in his life, he fell off, in a farming accident, a tractor and injured his head. As a result of that traumatic injury, he became an epileptic. And because of that, his lifetime dream of becoming a priest was not available to him. That was something of a great trauma, again, to him.

However, he overcame that, came to Congress, and has made his life's work opening up America to those who had been discriminated against, to those who had been shut out, to those for whom the pursuit of happiness was made either impossible or very difficult by the barriers and prejudice that existed.

Twenty years ago today, the first President Bush signed the Americans With Disabilities Act. I was proud to help pass that legislation. But much more, I was proud to see our country come together to rededicate itself to the principles of equal opportunity, irrespective of race or color, national origin, religion, or any other arbitrary distinction, including disability.

The ADA made it possible for Americans with disabilities to use the same public spaces that so many of us take for granted and to succeed as their talent and drive allows them to. Fifty million Americans have gone through the doors of equal opportunity that are open. When I first heard that figure, it sounded awfully high to me because I thought about disabilities being somebody who, like Mr. LANGEVIN, as a result of an accident had been forced to use a wheelchair for mobility purposes. I was used to thinking of disability as somebody who used a cane because they had no sight or somebody who used a hearing aid because their hearing was diminished or nonexistent.

Helen Keller, of course, taught us a great and powerful lesson about overcoming disabilities. But I learned quickly that so many of us have a disability that nobody else sees. Mr. Coelho is on the floor. If I asked you to identify Mr. Coelho by his disability you'd be unable to do so because it's not apparent. But the prejudice with respect to his disability was in fact very present.

So the Americans With Disabilities Act not only dealt with actual, visual impairments, but also perceived impairments.

We know that those doors are not all the way open, however. We strengthened the act in 2008, and today it is our job to live up to its enduring principles, whether it's making the House rostrum wheelchair accessible—thank you, Madam Speaker, for your leadership on making sure that JIM LANGEVIN, our colleague, who has the ability to preside, has the accessibility of the rostrum so that he can exercise that ability. That's what the Disability Act was all about.

I thank my colleagues that helped to make the ADA possible. Tony Coelho, of course, in the House was our leader, our spark plug, our visionary, and he enlisted many of the rest of us to assist

in this effort. The disability community who fought so hard, who showed so much courage, who spent so much time to let Members of Congress know the discrimination to which they were subjected.

I believe that this act is an act which will continue to make America a better country, it will continue to make America a country that is in fact living out the core of its principle, which is equal opportunity for all under the law.

I want to thank a number of people, some of whom we will see further today. Mr. MARKEY, who was so critical on the communications issue. I want to thank my friend JIM SENSENBRENNER, who sits on the floor here, who was a leader on the Judiciary Committee, a critical component of the passage of the Americans With Disabilities Act. I want to thank my friend Steve Bartlett, who himself was a Member of Congress—not now—but was my partner in coordinating the various committees and subcommittees and worked together with me in an absolutely nonpartisan—it wasn't bipartisan. It had nothing to do with party or politics; it had to do with our country's principles.

I want to thank Augustus Hawkins, who was chair of the Education and Labor Committee; Major Owens; Matthew Martinez; Steve Bartlett, whom I mentioned; Congressman Fawell. I want to thank JOHN DINGELL, who chaired the Energy and Commerce Committee; EDWARD MARKEY, the chair of the Telecommunications Subcommittee; Tom Luken; Norm Lent; Bob Whittaker; Matt Renaldo; Glen Anderson, who was the chair of the Public Works Committee; Robert Roe, ranking Democrat; and Norm Mineta.

Every time you see a bus that's accessible or train station that's accessible or an airplane that's accessible, remember Norm Lent. Remember Norman Mineta as well, who made that possible. And that was very difficult because there was a cost associated to it, and we wanted to make sure that it was a reasonable cost to be imposed. But we knew that in the long run, that investment would pay off for America.

I want to thank John Paul Hamerschmidt as well; Jack Brooks chaired the Judiciary Committee at that time; Don Edwards; Bob Castermire; Hamilton Fish; and, of course, JIM SENSENBRENNER. There are many, many others.

This resolution recognizes the adoption of a bill 20 years ago. JIM LANGEVIN is the living, breathing, participating example of how that statute made a difference.

□ 1430

Not just for JIM LANGEVIN but for all of us who will benefit from the contribution that the JIM LANGEVINS of America will make, and we ought to be proud in America that this bill is now an example to all the world and has been used as a model by many nations in the world that they have followed to

make their societies more accessible and make the lives of those with disabilities fuller and more productive.

There is much that remains to be done. Those with disabilities still are more likely to live in poverty. Those with disabilities are still more likely not to be able to get a job. Those with disabilities are still confronted with a lack of access to some facets of our society.

So as we recognize this anniversary, as the President tonight will honor the 41st President of the United States, George Bush, and his son who signed the Amendment Act, so both President Bushes have played a role in making accessibility a reality in America. So as we celebrate this day, let us recommit ourselves as our Founding Fathers talked about equality of opportunity and as we have seen for the 200-plus years of the existence of our constitutional democracy, that periodically we've had to take steps to make sure that the promise of opportunity was the reality of opportunity.

So, Speaker LANGEVIN, congratulations to you. Congratulations to our country. Congratulations to our citizens as we all work together to make this a more perfect union.

Mr. PETRI. Mr. Speaker, I rise in support of House Resolution 1504, and I yield myself such time as I may consume.

Today, we commemorate the 20th anniversary and enactment of the Americans with Disabilities Act and we celebrate also the positive changes in our workplaces, our public facilities and, indeed, in our Nation's understanding of the challenges and the triumphs of individuals with disabilities.

The Americans with Disabilities Act is an example of bipartisanship at its best. Members on both sides of the aisle came together 20 years ago to craft meaningful protections for members of our society who, up until this law's enactment, had too often been denied the opportunities and accommodations necessary for them to thrive.

In the 20 years since the Americans with Disabilities Act became law, we have seen firsthand the contributions made by individuals with disabilities when obstacles are removed and ignorance gives way to understanding. By simply leveling the playing field, our society is richer.

This law has been a remarkable success, but with the passage of time came the need for improvements. That is why Members on both sides of the aisle came together once again in 2008 to modernize the law and ensure its protections today fulfill its promise made 20 years ago.

I applaud the brave individuals who 20 years ago fought to shine a light on the discrimination and lack of basic access afforded to many individuals with disabilities. I applaud the legislators on both sides of the aisle who heard those stories and who responded with this landmark legislation. I also applaud the employers, State and local

governments, and facilities owners across the Nation that have taken the letter and the spirit of this law to heart and opened their doors and extended their opportunities to all Americans, regardless of disability.

Today, we take the time to appreciate how this House and, indeed, how our Nation as a whole has benefited from the Americans with Disabilities Act. I am pleased to join my colleagues in support of this resolution.

I reserve the balance of my time.

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

Mr. Speaker, I rise today in support of House Resolution 1504, which recognizes and honors the 20th anniversary of the signing of the Americans with Disabilities Act of 1990, the most historic piece of legislation affecting the civil rights of people with disabilities in our Nation's history.

Prior to its passage, too many people with disabilities received unequal treatment, didn't have the same kinds of opportunities as others Americans, faced inaccessible facilities and services, in both the public and private sectors. Many Americans with disabilities faced discrimination in education and employment, couldn't support their families, couldn't access jobs. As a result, Americans with disabilities were denied the opportunity to fully participate in society because they were not afforded the same rights that other Americans take for granted.

The hard work of disability advocates and Members of Congress, many of whom are being recognized today, past and present, culminated with a bipartisan effort to craft and pass the Americans with Disabilities Act. Since its passage, the ADA has worked to fulfill the Nation's goals of equal opportunity, independent living, economic self-sufficiency, and full participation. The ADA prohibits discrimination against individuals with disabilities across all sectors of society. It reduces barriers and promotes access and helps people with disabilities. That means our friends, our families, and ourselves fully participate in society.

More than 50 million Americans directly benefit from the ADA. While there's undoubtedly more work to be done to ensure full inclusivity of all people with disabilities, today we celebrate a major milestone 20 years of civil rights under this act that affirm its ideals and the work ahead.

Mr. Speaker, I would like to thank Leader HOYER for introducing this important resolution and, once again, express my support for House Resolution 1504, honoring the 20th anniversary of the Americans with Disabilities Act.

I reserve the balance of my time.

Mr. PETRI. Mr. Speaker, I yield such time as he may consume to my distinguished colleague from the State of Wisconsin, F. JAMES SENSENBRENNER.

Mr. SENSENBRENNER. Mr. Speaker, first, congratulations on setting history today by presiding over the House of Representatives. I promise

you that there will be no points of order from the Republican side while you're in the chair.

I also rise to support House Resolution 1504, which celebrates the 20th anniversary of the Americans with Disabilities Act.

It is important to acknowledge the achievements the disability community and its allies have accomplished in the past two decades. This anniversary represents another positive step taken in ensuring that all Americans are included in our communities and places of work.

It has been a long road to guarantee that our fellow Americans find equal protection under the law. Upon the signing of the ADA, President George H.W. Bush said, "Let the shameful wall of exclusion finally come tumbling down." Through bipartisan efforts, the societal barriers that for far too long kept disabled Americans from fully participating in our communities did indeed crumble with the passing of one of the most effective civil rights laws ever.

Because of this monumental piece of legislation, our country has been able to capitalize on the talents of millions of Americans with disabilities in the workplace. The ADA has protected the rights of children and students who once encountered educational discrimination and barriers. The accessibility of buildings, public transportation, and sidewalks has made our society more inclusive. The achievements of the ADA and the thousands of advocates who fought tirelessly for its passage represent the country's endless commitment to empower all American citizens with disabilities with the capacity to fully participate in his or her community.

In response to several Supreme Court decisions that restricted ADA coverage for individuals with diabetes, epilepsy and cancer, to name a few, in 2008 Congress passed the Americans with Disabilities Amendment Act.

□ 1440

This legislation broadened the definition of "disabled" and brought more people with disabilities under the umbrella of protection and reaffirmed Congress' promise to integrate people with disabilities.

Furthermore, it's important to recognize the change in societal attitudes towards people with disabilities as a result of the ADA. Since its passage, more and more Americans enjoy increased educational and employment opportunities. These opportunities have produced higher graduation rates and higher employment rates.

Because of the ADA, the disabled are no longer confined to isolation. We now see our fellow Americans with disabilities in our restaurants, movie theatres, sporting events, schools, and places of work. As of today, this Congress will see a fellow Congressman from Rhode Island and quadriplegic, Mr. LANGEVIN, preside over the House.

Because of changes made to the Speaker's rostrum, this House now joins the ranks of thousands of buildings across the Nation that have made architectural changes which serve to increase accessibility for people with disabilities. This is a proud moment for this Congress and reflects the progress that has been made in the past two decades.

The ADA, along with passage of the ADA Amendments Act, reminds us that this progress has been made over the last 20 years, as well as the continued effort that must be made to advocate for people with disabilities who still experience discrimination.

I urge my colleagues to join me in passing House Resolution 1504.

Mr. POLIS. Mr. Speaker, it's my honor to yield 7 minutes to the gentleman from Rhode Island (Mr. KENNEDY).

Mr. KENNEDY. Mr. Speaker, my good friend and colleague, Mr. LANGEVIN, I rise to support H. Res. 1504, commemorating the ADA.

Mr. Speaker, you are the embodiment of what the ADA meant to accomplish. To accomplish the great mission of America, to widen the circle of opportunity for more and more Americans to participate in the American Dream. Your service in Congress exemplifies the rawest elements of the American Dream, the potential that exists when we are lifted by what we believe in ourselves rather than what we are told by others.

That spirit of possibility also represents the best of America itself. However daunting appear the challenges that loom before us, we must not forget that our Nation was built on possibility and founded on the principles of overcoming overwhelming obstacles. The true strength of our Nation is derived not only from the fact that we are the most diverse Nation in the world, but we are also the most inclusive Nation in the world.

In much of the world, minority populations continue to be persecuted and discriminated against. Yet in America, people exercise their right guaranteed under the Constitution and the 1965 Voting Rights Act to cast their ballot for Barack Obama, who received more votes from more Americans than any other previous Presidential candidate in American history.

It's nearly 50 years ago that my uncle entered the White House, and among the many challenges he issued to the American people was the Civil Rights Act. The true strength of our Nation is not derived only from the fact that that is our big challenge, but that we must keep it going forward.

He said, "The heart of the question is whether all Americans are to be afforded equal rights and equal opportunities, whether we are going to treat our fellow Americans as we want to be treated. If, in short, he cannot enjoy the full and free life which all of us want, then who among us would be content to have the color of his skin

changed," or, in this case, to have the physical condition that they are in changed and abide by that situation that they are living in. As he goes on, "Who among us would be content with the counsels of patience and delay?"

With this anniversary of the ADA, perhaps it's timely to think about all the new ranks of those with disabilities, our returning veterans suffering from TBI and PTSD. I will never forget the day we passed the mental health parity bill. The most eloquent speech that I heard that day was given by none other than the man in the rostrum, JIM LANGEVIN. He came down to the floor of the House. He said to his colleagues, All of you see my disability; I am in a wheelchair.

But for millions of Americans, the disability they face is no less paralyzing in their lives. This disability comes in the form of a neurological disorder, a brain illness. To them, they have a very real disability, but we don't treat it as such. That's why we need to pass legislation prohibiting discrimination against the mentally ill.

JIM LANGEVIN carried the day on that mental health parity bill. I will always be grateful for that.

Today, we stand at the new frontier, as my uncle said, of the possibility of scientific breakthrough to help our veterans through their traumatic brain injury and their posttraumatic stress disorder. I say that the new challenge of the disability movement is not to stand by with the patience and delay that too many of us have witnessed when it comes to research.

Now, research can seem something esoteric, but research isn't esoteric to someone who is paralyzed in a wheelchair, who is looking forward to the day when we can regenerate the spinal cord and allow them to step out of that wheelchair. Research, to someone with Alzheimer's, for them to be able to restore their memory and restore their ability to come back to their family, that's as personal as it gets. Research that allows us to reconnect the wirings in the brain for a family who has children with autism.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. POLIS. Mr. Speaker, I yield an additional 2 minutes to the gentleman from Rhode Island.

Mr. KENNEDY. Neil Armstrong, in his famous quote when he landed on the Moon—an objective that no one thought was realistic when President Kennedy made the challenge earlier that decade. They thought it was impossible. But the United States got behind that mission, and we carried the day because we are the United States.

How fitting it would be if we could apply Neil Armstrong's quote to not only putting a man on the Moon, but apply that quote, "One small step for man; one giant leap for mankind," to those veterans when it comes to them being able to say, I stepped out of my wheelchair. I was able to step out of my bed. I was able to step out of my

house because this country went ahead with science. Nothing is more personal.

In about 3 weeks, I am going to celebrate, in a sense, my father's life once again—the anniversary of his passing. What people don't know is that I marvel at the fact that I had an extra year with my dad that no one had expected because a neurosurgeon gave me that year. To me, that neurosurgeon and modern science gets as personal as it can get, because it gave me someone I loved for an extra year.

Ladies and gentlemen, let's harness the innovation technology that we have on behalf of our veterans. If we don't have an urgency on behalf of them to work to set them free from being prisoners of their war injuries, held hostage from their trauma of serving this country, then what are we going to get worked up for?

□ 1450

Ladies and gentlemen, I want to thank people like JIM LANGEVIN who have fought the fight and been an example. Isn't it time we continue to stand by them and continue that fight? Let's pass this resolution, but let's rededicate ourselves to taking this fight not only to helping make sure people don't fall behind, but also making sure that they move forward to a brighter future, something that they can look forward to. That's what America has been all about.

Thank you, JIM. It's been an honor to serve with you. I look forward to many years ahead of your serving this great country of ours.

Mr. PETRI. Mr. Speaker, I yield such time as she may consume to our colleague from the State of Washington, CATHY McMORRIS RODGERS.

Mrs. McMORRIS RODGERS. Mr. Speaker, let me join in saying congratulations. It's very fitting and appropriate that you are in the Speaker's chair today. You truly are an inspiration to us all.

I want to join in the celebration of the 20th anniversary of the Americans with Disabilities Act. The ADA, which was signed 20 years ago today, was one of the most important civil rights achievements in American history. For me, it represents empowerment and it represents independence. That is what our laws should encourage, opportunity and independence for all.

This landmark bill gave 50 million Americans—including my son Cole, who was born with Down Syndrome 3 years ago—the opportunity to live the American dream. Through the ADA, Cole and so many others like him were given the chance to fully participate in our society, including better opportunities for education, employment, and independent living. And as Cole's mom, I am so thankful for the many who have worked hard many, many years so that my son, in 2010, could have more opportunities, more resources, and more support than ever.

This was a bipartisan effort, supported by Democrats and Republicans

in Congress, signed by a Republican President. And I want to thank the Members who are still in Congress, including Majority Leader HOYER and Representative SENSENBRENNER, as well as former Majority Whip Tony Coelho, for their tremendous leadership on this issue.

I also want to thank the incredible disabilities community in America, a community that welcomed me and my family with open arms, for all the work they have done organizing and advocating for this bill. They are ordinary citizens who, by working together, achieved extraordinary things.

We have come a long way in 20 years, but we still have a long way to go. Let's use today's anniversary as an inspiration for creating a more perfect union for Americans with disabilities and for all Americans.

Mr. SCOTT of Virginia. Mr. Speaker, I would like to take this opportunity to recognize and commemorate the twentieth anniversary of the Americans with Disabilities Act (ADA).

In 1990, then-President George H.W. Bush signed the Americans with Disabilities Act into law. It was the most significant federal civil rights legislation since the Civil Rights Act of 1964 and the Voting Rights Act of 1965, both signed by President Lyndon Johnson. And overall it has been a tremendous success.

The ADA was enacted to protect individuals with disabilities from being discriminated against in employment, public entities and transportation, public accommodations, and telecommunications. It created a promise of inclusion and equal opportunity, so that all Americans can live up to their full potential, encouraging and enabling individuals with disabilities to participate in the social and economic fabric of American life. As a result of the ADA, millions more people with disabilities are working, living independently, and actively using public accommodations that so many of us take for granted.

But it was not the first legislation to do so.

Mr. Speaker, in the early 1980s, when I was a member of the Virginia General Assembly, sixty-four disability organizations formed a coalition known as INVEST—INsure Virginians Equal Status Today—to pass a state statute in Virginia to protect individuals with disabilities from discrimination. I was a Member of the Senate Committee on General Laws, the Committee that considered the legislation, and we dealt with many of the central issues that needed to be addressed, such as what constitutes a reasonable accommodation. We worked through all of those issues, and the Virginians with Disabilities Act was signed into law by former Gov. Charles S. Robb in 1985.

Today the Act protects nearly one million residents of the Commonwealth of Virginia. This Act acknowledged that "it is the policy of the Commonwealth to encourage and enable persons with disabilities to participate fully and equally in the social and economic life . . ." and it protects Virginians with disabilities from discrimination in employment, education, housing, voting, and places of public accommodation. It preceded the federal Americans with Disabilities Act by five years, and many of the key concepts in the Virginia statute formed the basis of the ADA. The landmark Virginians with Disabilities Act is the Commonwealth's commitment to encourage persons with dis-

abilities to participate fully in the social and economic life of the Commonwealth.

Five years later, the Americans with Disabilities Act of 1990 was enacted to protect all Americans against discrimination on the basis of disability.

Mr. Speaker, I am proud that 20 years later we are able to look back upon the passage of the federal Americans with Disabilities Act and recognize the importance of this legislation and the changes it has made in American society. But our work is not yet done. The law is stable yet it cannot stand still; it must continue to evolve. On this 20th anniversary of the ADA, while we acknowledge the progress we have made, we must also examine the challenges that still remain. We must continue to revisit the ADA and to examine whether it is accomplishing its purpose to the fullest extent possible, and when we find that it is not, we must be willing to make the changes necessary to do so.

One recent example of this willingness occurred last Congress when we passed the Americans with Disabilities Amendments Act of 2008, which was signed into law by President George W. Bush and became effective on January 1st, 2009. The ADA Amendments Act restored the ADA to Congress' original intent by clarifying that coverage under the ADA is broad and covers anyone who faces unfair discrimination because of a disability, and it overturned several court decisions that held that people with disabilities would lose their coverage under the ADA simply because their condition is treatable with medication or can be addressed with the help of assistive technology.

That legislation was the direct result of the business and disability communities working together to rectify a problem that was created by the courts. It is my hope that this kind of commitment, determination and cooperation will continue into the future until we have broken down all barriers to individuals with disabilities.

Today, we break another barrier, because Congress has taken a step toward greater accessibility by making the House rostrum wheelchair accessible for the first time. I would like to recognize my friend and colleague, Congressman JAMES R. LANGEVIN, who today presided over the House Floor as Speaker Pro Tempore, as is his right and honor as a member of Congress.

It is my hope that we will continue to break down barriers in the Halls of Congress, on Main Street U.S.A., and throughout the world.

Mr. OBERSTAR. Mr. Speaker, I rise in strong support of H. Res. 1504, a resolution recognizing and honoring the 20th anniversary of the enactment of the Americans with Disabilities Act (ADA). I am proud to cosponsor this important legislation, introduced by the distinguished Majority Leader (Mr. HOYER).

On July 26, 1990, upon signing this landmark civil rights law, President George H. W. Bush stated that the ADA "promises to open up all aspects of American life to individuals with disabilities—employment opportunities, government services, public accommodations, transportation, and telecommunications." As we celebrate 20 years since its enactment, we have an opportunity to reflect on the successes of the ADA.

The ADA has helped to expand and enhance opportunities for over 50 million Americans with disabilities by removing barriers to

employment and essential services. Thanks to the public accommodations required by the ADA, individuals with disabilities are able to more fully participate in our society, and to enjoy the freedom that comes with independent living and economic self-sufficiency.

Congress included transportation-specific requirements in the 1990 Act because accessible transportation services ensure that all Americans with disabilities can enjoy extraordinary freedom of mobility. Without reliable transportation, many individuals with disabilities would not be able to access the significant public accommodation improvements that have occurred in cities and towns across the country as a result of the ADA. Specifically, the ADA required public transit systems, passenger rail systems, and over-the-road bus operators to modify their vehicles and facilities to make them accessible to individuals with disabilities.

Congress set an aggressive timeline for public transit vehicles and facilities to achieve ADA compliance. One month after enactment of the ADA, all new trains and buses were required to be constructed as fully ADA compliant; any refurbishing of buses or trains that took place one month after enactment had to include ADA retrofits. Three years after enactment, all readily achievable key subway, commuter rail, and light rail station alterations were to be completed in order to bring these systems into substantial compliance with the ADA. As of today, every single key transit station is required to have been retrofitted to be in full compliance with ADA.

The Committee on Transportation and Infrastructure has been vigilant in its oversight of the implementation of the transportation requirements of the ADA. The majority of our nation's public transit systems have met their ADA requirements. According to the Government Accountability Office (GAO), only 36 percent of transit buses in urban areas were ADA compliant in 1989, but that number rose to 97 percent in 2005, and is closer to 100 percent today. While this marks good progress, more needs to be done to ensure that any public transit systems that are not fully accessible are brought into compliance as soon as possible.

In the 110th Congress, the Committee on Transportation and Infrastructure advanced H.R. 3985, the "Over-the-Road Bus Transportation Accessibility Act of 2007" to ensure that motorcoach accessibility regulations promulgated by the Department of Transportation (DOT) in 1998 were being implemented. DOT had failed to enforce its own regulations for a decade, based on an interpretation that any enforcement must be carried out by the Department of Justice. However, the Department of Justice does not conduct vehicle inspections and did not have a mechanism to identify operators who were out of compliance. H.R. 3985, which was signed by the President on July 30, 2008, closed this loophole and prohibited DOT from granting registration authority to a motorcoach company who is not willing and able to comply with the accessibility regulations and gave DOT express enforcement authority.

In the 110th Congress, the Committee on Transportation and Infrastructure also advanced legislation to help Amtrak, our national passenger railroad, to come into compliance with the ADA. The Passenger Rail Investment and Improvement Act of 2008 (Public Law

110–432) required Amtrak to conduct an evaluation of the condition of Amtrak's stations and its plan for making them readily accessible and usable by persons with disabilities and fully compliant with the ADA. The law also authorized funding for Amtrak to improve the accessibility of facilities, including rail platforms and services, and required the Federal Railroad Administration to monitor and conduct periodic reviews of Amtrak's compliance with the ADA.

In FY 2008, Amtrak provided intercity passenger rail service to a record number of 28.7 million passengers across 46 States over a 21,095 mile network owned by freight railroads, commuter railroads, governmental authorities, and Amtrak. Amtrak provided service to 515 stations; 481 of those stations are required to be ADA-compliant by July 26, 2010. In 2008, however, Amtrak announced that it would not be able to meet the legislative deadline for compliance with the ADA. Instead, the railroad presented a plan for coming into compliance over the next five years, and has requested additional funds to implement this plan for FY 2010 and again this year. Since releasing that plan, however, Amtrak has determined that funding may not be the main source of concern. Rather, Amtrak continues to face challenges in defining what work is necessary to comply with the ADA and in forming work agreements with its partners—the freight railroads, commuter railroads, and governmental authorities—at each station, some of which Amtrak does not own. As Chairman of the Transportation and Infrastructure Committee I find this news distressing, and I intend to hold a hearing this fall to determine what is blocking Amtrak from coming into full compliance with the ADA.

Finally, in 2008, this body passed H.R. 3195, a bill to restore protections for a wide range of individuals with disabilities (such as those with epilepsy, diabetes and cancer) by overturning judicial decisions that had narrowed the scope of the ADA as intended by Congress. I was pleased that the Committee on Transportation and Infrastructure played a role in shepherding these important amendments through the House, which were signed by the President on September 25, 2008.

The modifications made by Congress since 1990 have strengthened the original Act. We must continue to aggressively monitor the implementation of the ADA and subsequent amendments to ensure that all Americans are granted access and equality under the law.

I commend the distinguished Majority Leader for his tireless work over the last 20 years on behalf of Americans with disabilities, and I urge my colleagues to support H. Res. 1504.

Ms. RICHARDSON. Mr. Speaker, I rise today in support of H. Res. 1504, which recognizes and honors the 20th anniversary of the enactment of the Americans with Disabilities Act. I am proud to co-sponsor H. Res. 1504, and I thank my colleague, Majority Leader HOYER, for introducing this legislation.

The Americans with Disabilities Act is truly a historic piece of legislation. When it became law 20 years ago, it extended civil rights to individuals with disabilities, and prohibited employers from discriminating against qualified disabled persons. The Americans with Disabilities Act also requires reasonable accommodations to be made to workplaces so that they are more accessible to people with disabilities.

The Americans with Disabilities Act has helped over 50,000,000 Americans lead fuller lives by removing barriers to employment, transportation, public services, and telecommunications.

However, Mr. Speaker, this anniversary also serves as a reminder that there is still work to be done. People with disabilities are twice as likely to live in poverty and much more likely to be unemployed than their able-bodied peers.

We must also continue to work on eliminating all discrimination in the workplace. No qualified individual should be denied a job or a promotion solely on the basis of sex, race, color, religion, national origin, age, disability, or sexual orientation.

Mr. Speaker, I urge my colleagues to join me in supporting H. Res. 1504, and honoring the 20th anniversary of the Americans with Disabilities Act.

Mr. NADLER of New York. Mr. Speaker, I rise in support of House Resolution 1504, recognizing and honoring the 20th anniversary of the enactment of the Americans with Disabilities Act of 1990.

Heralded at its signing in 1990 as an "emancipation proclamation for people with disabilities," the goals of the ADA are lofty and embody core principles that have made this nation great—equality of opportunity, independence, and integration.

Through broad non-discrimination directives aimed at employers, government entities, and places of public accommodation—and requirements of reasonable accommodation and modification that are designed to dismantle architectural and societal barriers—the ADA has transformed our world.

Some of those changes are visible—lifts on buses, elevators in subway stations, power-assisted and wider doors, designated parking spots, curb cuts, and closed-captioning. Others are not so visible, but are powerfully important nonetheless.

These less-visible changes—the slow breakdown of disabling stereotypes, myths, prejudice, and stigma—are also happening because of the increased access and opportunity made possible by the ADA. As we witness and benefit from the contributions of family members, colleagues, and neighbors with disabilities, outdated and misguided beliefs are challenged and changed.

While we still have a long way to go, our passage of the ADA Amendments Act of 2008 is yet another mark of our progress on this front. Through the ADA Amendments Act, we responded to the Supreme Court's unduly narrow interpretation of the definition of "disability" and reaffirmed our commitment to focusing on abilities—the ability to do a job, to participate in programs, services, or activities, or to thrive in a community-based setting—rather than the severity of our limitations.

Our collaboration on the ADA Amendments Act of 2008, which was passed by an overwhelming majority of the House, illustrates an enduring bipartisan commitment to achieving the full civil rights for Americans with disabilities.

Thus, as House Resolution 1504 recognizes, we have much to celebrate on this twentieth anniversary of the ADA's enactment. Yet as it also reminds us, we have not reached the finish line, and much work remains.

We must continue working to end the unnecessary institutionalization of people with

disabilities. Just last week, the House Judiciary Subcommittee on Constitution, Civil Rights, and Civil Liberties, which I chair, heard testimony from Casandra Cox as part of our hearing to commemorate the ADA's twentieth anniversary. Ms. Cox was placed in an adult home following a short hospitalization. Despite her requests for assistance in finding an appropriate community-based placement, Ms. Cox remained in that home for nearly three years until she was able—through persistence and good luck in being selected for a state pilot program—to find a community-based placement where she has thrived.

The ADA's promise of integration and independence should not depend on persistence or on luck.

More than 10 years ago, in *Olmstead v. L. C.*, the Supreme Court declared that unnecessary institutionalization violates the ADA and that the states must ensure that individuals receive services in the least restrictive setting possible. Yet thousands of individuals who can and should receive services in community-based settings remain warehoused in large institutions.

This remains true despite the fact that former residents are thriving in supportive settings at costs that are lower than, or equal to, the costs of institutional care.

Work to make public transit systems and brick and mortar structures accessible also remains unfinished. Twenty years after the ADA required readily achievable changes to existing structures and set out standards for new buildings, many brick and mortar facilities remain inaccessible. And while we have made great strides in our public transit systems, significant gaps and ongoing problems remain. Continued non-compliance with Titles II and III of the ADA is inexcusable. While we should continue to pursue proposals that promote voluntary compliance, like the Department of Justice's Project Civic Access, we should rightly reject measures—like the ADA Notification Act—that threaten the ADA's promise of access and integration.

Even as we press forward to ensure greater access to physical places, and programs and services, we cannot lose sight of the need to ensure that evolving technologies are also accessible. In the twenty years since the ADA's passage, technology has revolutionized the way we work, learn, shop, and socialize. While these advances ultimately may offer individuals with disabilities unprecedented access and opportunities, we have yet to see that full potential realized.

During a hearing in April focusing on access to emerging technology as a civil rights issue under the ADA held by my Subcommittee, we urged the Department of Justice to issue regulations and additional guidance to achieve greater compliance with the ADA's equal access obligations with regard to the internet and other evolving technologies. Immediately following the Constitution Subcommittee's ADA Anniversary hearing last week, where we once again pressed the Department of Justice to issue clarifying regulations, the Department issued an advanced notice of proposed rule-making regarding website accessibility. This is welcome news and will ensure that individuals with disabilities are not left behind as greater numbers of businesses, schools, and public entities rely upon this technology to communicate and to provide goods and services to the public.

As we continue working on these and other challenges that lie ahead, I urge you to join me in celebrating the progress that we have achieved—and in affirming our enduring and bipartisan commitment to achieving the ADA's full promise—by voting for passage of House Resolution 1504.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise today in recognition of the 20th anniversary of the Americans with Disabilities Act and its mission to make this nation more inclusive of individuals with disabilities.

Over the past 20 years we've made remarkable progress. From increased availability of Braille to wheel chair accessibility in buildings and roads, accommodations have been made to improve the ability of disabled individuals to more easily function in the day-to-day tasks we take for granted.

In addition to the physical assistance that the ADA offers, it sends a larger message that individuals with disabilities make significant contributions to our society. It was not that long ago that a disability caused severe limits of career, education, housing and lifestyle. Every American deserves the opportunity and accessibility to succeed, and the ADA has made immense strides towards that goal.

However, we must recognize this anniversary as an opportunity to continue those efforts. As our society advances in technology it also provides new obstacles to many of those with disabilities. Technology is remarkable, but we must ensure it is safe and accessible. As society evolves so must the ADA.

Today as we celebrate our accomplishments we commit ourselves to a bright future for the millions of disabled individuals who have been assisted by the ADA. I strongly support H. Res. 1504 and urge its passage.

Mr. VAN HOLLEN. Mr. Speaker, today we mark the 20th anniversary of one of the most defining and effective civil rights law passed by Congress—the Americans with Disabilities Act (ADA).

More than twenty years ago, Americans with disabilities were too often denied the opportunity to fully participate and integrate into our society due to intolerance and unfair stereotypes. Because of this discrimination, they encountered lower employment rates, lower graduation rates, and higher rates of poverty than people without disabilities. With the ADA, new opportunities were open for millions of Americans with disabilities by making essential services such as housing, buildings, transportation, and other daily needs more accessible. Individuals with disabilities were given an opportunity to succeed in the workplace and in life.

Though we have made progress in improving access in all aspects of life for Americans with disabilities, many continue to confront barriers that inhibit them from fully participating in our society by facing inequalities in education, transportation, housing and technology. We must continue to work to ensure that individuals with disabilities are not denied the opportunities that people without disabilities enjoy. Just a few years ago, Congress passed legislation in a bipartisan manner that restored the original intent of the ADA after the Federal courts slowly chipped away at the broad protections of the law.

The House is leading by example in honoring the ADA's mission of inclusion and equal opportunity. Today, Representative LANGEVIN is presiding over the House floor due to recent

modifications to the Speaker's Rostrum that enables him and all future Members in wheelchairs to do so. They haven't been able to do so in the past. I congratulate Representative LANGEVIN on this achievement and commend his hard work in making this day happen.

Mr. Speaker, as we celebrate the anniversary of a law that has transformed this country since 1990, let us recommit ourselves to ensuring that all Americans with disabilities live as independent, self-sufficient members of our society.

Ms. JACKSON LEE of Texas. Mr. Speaker. I rise today in strong support of H. Res. 1504, "Recognizing and honoring the 20th anniversary of the enactment of the Americans with Disabilities Act of 1990", introduced by my distinguished colleague from Maryland, and Majority Leader, Representative HOYER.

The Americans with Disabilities Act of 1990 is one of the most important pieces of civil rights legislation in the last few decades, and has had overwhelmingly bipartisan support. It was implemented to "provide a clear and comprehensive national mandate for the elimination of discrimination against individuals with disabilities." It places an affirmative obligation on employers, government entities, and places of public accommodation to ensure that people with disabilities have an equal chance to participate in mainstream American life, and that reasonable accommodations be made to remove barriers that might prevent full participation in society by people with disabilities.

In the twenty years since ADA's enactment, it has had an undeniable, positive impact on the lives of disabled Americans. People in wheelchairs now have access to places they could never go twenty years ago, or only with great difficulty—movie theaters, restaurants, clothing stores, and government buildings. Now, people who use service animals to participate in regular daily life are allowed to bring them where they previously couldn't. The disabled are no longer excluded from places of business, mass transit, or schools.

Just as disabled Americans benefit directly from the improvements that the ADA has made in our society, so have we all benefited. Before the passage of the ADA, those Americans with disabilities were unable to meet their full potential, due to the physical barriers to education and employment. As they were denied the opportunity to participate in society, we were all deprived of their contribution to our economy, scholarship, research, and civic life. Today, we are better able to benefit from the contribution of all Americans; there is no better illustration than the fact that, today, Congressman LANGEVIN presides from his wheelchair—raised to the Speaker's rostrum by a mechanical lift.

Last week, the Judiciary Subcommittee on the Constitution, Civil Rights, and Civil Liberties held a hearing on the ADA. We heard from our witnesses about the impact the ADA has had on their lives, some who grew up with the ADA and its benefits, and others who had previously been unaware of the ADA and found how important it was after a life-changing event. The ADA has had a profound impact on American life, but there is still more to do.

I join with Representatives HOYER, SENSENBRENNER, LANGEVIN, and the other cosponsors of this resolution in honor of the Americans with Disabilities Act, and in their pledge to continue to improve the ADA and its impact on

the lives of disabled Americans. I urge my colleagues to join me in that support.

Mr. JOHNSON of Georgia. Mr. Speaker, I rise today to support H. Res. 1504, in recognizing and honoring the 20th anniversary of the Americans with Disabilities Act. The ADA is often described as the most sweeping non-discrimination legislation since the Civil Rights Act of 1964. I am a proud cosponsor of this resolution and urge my colleagues to join me in supporting this vital resolution.

On July 26, 1990, President George H. W. Bush signed the ADA into law to ensure the civil rights of people with disabilities. This legislation established a clear and comprehensive mandate for the elimination of discrimination against individuals with disabilities. The ADA provides broad protections in employment, public services, public accommodations, services provided by private entities, and transportation services for individuals with disabilities.

According to the 2009 U.S. Census Bureau statistics, approximately 50 million Americans have disabilities. In my home state of Georgia, approximately one and a half million people have disabilities. On this day, as we celebrate the 20 year anniversary of the ADA, it is important to remember that all Americans—not just those with disabilities—benefit from the passage of the ADA. Disabilities do not discriminate on the basis of age, gender, race, religion, income, or party lines.

This anniversary gives us time to reflect on the progress that has been made since the ADA was enacted 20 years ago. I look forward to continuing to work with my colleagues in the House to ensure that ADA's purpose of providing equal opportunity, independent living, and full participation in all aspects of society for Americans with disabilities is fully realized. This resolution demonstrates the House's commitment to upholding the civil rights of those living with disabilities.

I strongly support this resolution and urge my colleagues to do the same.

Mr. ELLISON. Mr. Speaker, I rise today to celebrate the 20th anniversary of the signing of the Americans with Disabilities Act (ADA).

The ADA was a monumental achievement in the fight for equality for every American living with a disability.

The ADA opened doors, literally and figuratively, for millions of Americans who faced limited opportunities to travel, work and receive an education.

It may be difficult for younger people to imagine the obstacles endured by disabled Americans prior to the passage of the ADA, while it did not eliminate the challenges of living with a disability; its passage provided far greater access and renewed hope for millions.

I want to offer my sincere thanks to those who contributed to the struggle for equal rights and equal access, a movement that ultimately resulted in the passage of the ADA. The efforts of disability support groups, non-profits, legislators and individuals across our Nation who advocated for changes represent the best in America. Their success 20 years ago is a blueprint for improving lives today.

Just as it is important to celebrate the freedoms and rights that our Nation offers, we must continue to advocate for the changes that are needed. As a nation, we should be proud of the rights that we have secured for our citizens, but never forget the struggle for those rights. I am committed to continuing the fight for equality for all Americans: with and without disabilities.

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

Mr. POLIS. Mr. Speaker, again I would like to encourage my colleagues to support this important step and march forward for civil rights in our country, celebrating the work behind us and getting to work to complete the task of ensuring that every American has access to the great opportunities this country offers.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Colorado (Mr. POLIS) that the House suspend the rules and agree to the resolution, H. Res. 1504, 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. POLIS. 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.

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:

HOUSE OF REPRESENTATIVES,
Washington, DC, July 26, 2010.

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, the Clerk received the following message from the Secretary of the Senate on July 26, 2010 at 10:21 a.m.:

That the Senate disagrees to the House amendment to the Senate amendment H.R. 4899.

That the Senate passed without amendment H.R. 4684.

With best wishes, I am
Sincerely,

LORRAINE C. MILLER.

TWENTY-FIRST CENTURY COMMUNICATIONS AND VIDEO ACCESSIBILITY ACT OF 2010

Mr. MARKEY of Massachusetts. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3101) to ensure that individuals with disabilities have access to emerging Internet Protocol-based communication and video programming technologies in the 21st Century, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3101

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the “Twenty-First Century Communications and Video Accessibility Act of 2010”.

(b) TABLE OF CONTENTS.—

Sec. 1. Short title; table of contents.

Sec. 2. Limitation on liability.

Sec. 3. Proprietary technology.

TITLE I—COMMUNICATIONS ACCESS

Sec. 101. Definitions.

Sec. 102. Hearing aid compatibility.

Sec. 103. Relay services.

Sec. 104. Access to internet-based services and equipment.

Sec. 105. Emergency Access Advisory Committee.

Sec. 106. Relay services for deaf-blind individuals.

TITLE II—VIDEO PROGRAMMING

Sec. 201. Video Programming and Emergency Access Advisory Committee.

Sec. 202. Video description and closed captioning.

Sec. 203. Closed captioning decoder and video description capability.

Sec. 204. User interfaces on digital apparatus.

Sec. 205. Access to video programming guides and menus provided on navigation devices.

Sec. 206. Definitions.

TITLE III—PAYGO COMPLIANCE

Sec. 301. PAYGO Compliance.

SEC. 2. LIMITATION ON LIABILITY.

(a) IN GENERAL.—Except as provided in subsection (b), no person shall be liable for a violation of the requirements of this Act (or of the provisions of the Communications Act of 1934 that are amended or added by this Act) with respect to video programming, online content, applications, services, advanced communications services, or equipment used to provide or access advanced communications services to the extent such person—

(1) transmits, routes, or stores in intermediate or transient storage the communications made available through the provision of advanced communications services by a third party; or

(2) provides an information location tool, such as a directory, index, reference, pointer, menu, guide, user interface, or hypertext link, through which an end user obtains access to such video programming, online content, applications, services, advanced communications services, or equipment used to provide or access advanced communications services.

(b) EXCEPTION.—The limitation on liability under subsection (a) shall not apply to any person to the extent such person relies on third party applications, services, software, hardware, or equipment to comply with the requirements of this Act (or of the provisions of the Communications Act of 1934 that are amended or added by this Act).

SEC. 3. PROPRIETARY TECHNOLOGY.

No action taken by the Commission to implement the requirements of this Act or the amendments made by this Act shall mandate the use or incorporation of proprietary technology.

TITLE I—COMMUNICATIONS ACCESS

SEC. 101. DEFINITIONS.

Section 3 of the Communications Act of 1934 (47 U.S.C. 153) is amended—

(1) by adding at the end the following new paragraphs:

“(53) ADVANCED COMMUNICATIONS SERVICES.—The term ‘advanced communications services’ means—

“(A) interconnected VoIP service;

“(B) non-interconnected VoIP service;

“(C) electronic messaging service; and

“(D) video conferencing service.

“(54) DISABILITY.—The term ‘disability’ has the meaning given such term under section 3 of the Americans with Disabilities Act of 1990 (42 U.S.C. 12102).

“(55) ELECTRONIC MESSAGING SERVICE.—The term ‘electronic messaging service’ means a service that provides non-voice messages in text form between individuals over communications networks.

“(56) INTERCONNECTED VOIP SERVICE.—The term ‘interconnected VoIP service’ has the meaning given such term under section 9.3 of title 47, Code of Federal Regulations, as such section may be amended from time to time.

“(57) NON-INTERCONNECTED VOIP SERVICE.—The term ‘non-interconnected VoIP service’—

“(A) means a service that—

“(i) enables real-time voice communications that originate from or terminate to the user’s location using Internet protocol or any successor protocol; and

“(ii) requires Internet protocol compatible customer premises equipment; and

“(B) does not include any service that is an interconnected VoIP service.

“(58) VIDEO CONFERENCING SERVICE.—The term ‘video conferencing service’ means a service that provides real-time video communications, including audio, to enable users to share information of the user’s choosing.”; and

(2) by reordering paragraphs (1) through (52) and the paragraphs added by paragraph (1) of this section in alphabetical order based on the headings of such paragraphs and renumbering such paragraphs as so reordered.

SEC. 102. HEARING AID COMPATIBILITY.

(a) COMPATIBILITY REQUIREMENTS.—

(1) TELEPHONE SERVICE FOR THE DISABLED.—Section 710(b)(1) of the Communications Act of 1934 (47 U.S.C. 610(b)(1)) is amended to read as follows:

“(b)(1) Except as provided in paragraphs (2) and (3) and subsection (c), the Commission shall require that customer premises equipment described in this paragraph provide internal means for effective use with hearing aids that are designed to be compatible with telephones which meet established technical standards for hearing aid compatibility. Customer premises equipment described in this paragraph are the following:

“(A) All essential telephones.

“(B) All telephones manufactured in the United States (other than for export) more than one year after the date of enactment of the Hearing Aid Compatibility Act of 1988 or imported for use in the United States more than one year after such date.

“(C) All customer premises equipment used with advanced communications services that is designed to provide 2-way voice communications via a built-in speaker intended to be held to the ear in a manner functionally equivalent to a telephone, subject to the regulations prescribed by the Commission under subsection (e).”.

(2) ADDITIONAL AMENDMENTS.—Section 710(b) of the Communications Act of 1934 (47 U.S.C. 610(b)) is further amended—

(A) in paragraph (2)—

(i) in subparagraph (A)—

(I) in the matter preceding clause (i)—

(aa) by striking “initial”;

(bb) by striking “of this subsection after the date of enactment of the Hearing Aid Compatibility Act of 1988”; and

(cc) by striking “paragraph (1)(B) of this subsection” and inserting “subparagraphs (B) and (C) of paragraph (1)”; and

(II) by inserting “and” at the end of clause (ii);

(III) by striking clause (iii); and

(IV) by redesignating clause (iv) as clause (iii);

(ii) by striking subparagraph (B) and redesignating subparagraph (C) as subparagraph (B); and

(iii) in subparagraph (B) (as so redesignated)—