

I urge an "aye" vote on H.R. 1454. There is no question it will help stamp out extinction.

Mr. HASTINGS of Washington. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mrs. CHRISTENSEN. Mr. Speaker, I also want to mention our colleague the gentlewoman from Guam's strong support for this bill. Though Ms. BORDALLO could not be here today to speak in support of H.R. 1454 as she is on Guam conducting official business, she asked that I relay her thanks to the gentleman from South Carolina for his efforts with this legislation, and for the bipartisan manner in which he has worked with her and all of our Members on the Democratic side of the aisle as the ranking member of the subcommittee.

I too am among the over 150 cosponsors of H.R. 1454, and recognize its value as a longtime member of the International Conservation Caucus. I continue to urge a "yes" vote.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN) that the House suspend the rules and concur in the Senate amendment to the bill, H.R. 1454.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the Senate amendment was concurred in.

A motion to reconsider was laid on the table.

COLTSVILLE NATIONAL HISTORICAL PARK ACT

Mrs. CHRISTENSEN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5131) to establish Coltsville National Historical Park in the State of Connecticut, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5131

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 "Coltsville National Historical Park Act".

SEC. 2. DEFINITIONS.

For the purposes of this Act:

(1) **CITY.**—The term "city" means the city of Hartford, Connecticut.

(2) **COMMISSION.**—The term "Commission" means the Coltsville National Historical Park Advisory Commission established by subsection 6(a).

(3) **HISTORIC DISTRICT.**—The term "Historic District" means the Coltsville Historic District.

(4) **MAP.**—The term "map" means the map titled "Coltsville National Historical Park—Proposed Boundary", numbered T25/102087, and dated May 11, 2010.

(5) **PARK.**—The term "park" means the Coltsville National Historical Park in the State of Connecticut.

(6) **SECRETARY.**—The term "Secretary" means the Secretary of the Interior.

(7) **STATE.**—The term "State" means the State of Connecticut.

SEC. 3. COLTSVILLE NATIONAL HISTORICAL PARK.

(a) **ESTABLISHMENT.**—

(1) **IN GENERAL.**—Subject to paragraph (2), there is established in the State a unit of the National Park System to be known as the "Coltsville National Historical Park".

(2) **CONDITIONS FOR ESTABLISHMENT.**—The park shall not be established until the date on which the Secretary determines that—

(A) the Secretary has acquired by donation sufficient land or an interest in land within the boundary of the park to constitute a manageable unit;

(B) the State, city, or private property owner, as appropriate, has entered into a written agreement with the Secretary to donate at least 10,000 square feet of space in the East Armory which would include facilities for park administration and visitor services;

(C) the Secretary has entered into a written agreement with the State, city, or other public entity, as appropriate, providing that—

(i) land owned by the State, city, or other public entity within the Coltsville Historic District shall be managed consistent with this section; and

(ii) future uses of land within the historic district shall be compatible with the designation of the park and the city's preservation ordinance; and

(D) the Secretary has reviewed the financial resources of the owners of private and public property within the boundary of the proposed park to ensure the viability of the park based on those resources.

(b) **BOUNDARIES.**—The park shall include and provide appropriate interpretation and viewing of the following sites, as generally depicted on the map:

(1) The East Armory.

(2) The Church of the Good Shepherd.

(3) The Caldwell/Colt Memorial Parish House.

(4) Colt Park.

(5) The Potsdam Cottages.

(6) Armsmead.

(7) The James Colt House.

(c) **COLLECTIONS.**—The Secretary shall enter into a written agreement with the State of Connecticut State Library, Wadsworth Athenaeum, and the Colt Trust, or other public entities, as appropriate, to gain appropriate access to Colt-related artifacts for the purposes of having items routinely on display in the East Armory or within the park as determined by the Secretary as a major function of the visitor experience.

SEC. 4. ADMINISTRATION.

(a) **IN GENERAL.**—The Secretary shall administer the park in accordance with—

(1) this Act; and

(2) the laws generally applicable to units of the National Park System, including—

(A) the National Park Service Organic Act (16 U.S.C. 1 et seq.); and

(B) the Act of August 21, 1935 (16 U.S.C. 461 et seq.).

(b) **STATE AND LOCAL JURISDICTION.**—Nothing in this Act enlarges, diminishes, or modifies any authority of the State, or any political subdivision of the State (including the city)—

(1) to exercise civil and criminal jurisdiction; or

(2) to carry out State laws (including regulations) and rules on non-Federal land located within the boundary of the park.

(c) **COOPERATIVE AGREEMENTS.**—

(1) **IN GENERAL.**—As the Secretary determines to be appropriate to carry out this Act, the Secretary may enter into cooperative agreements with the owner of any property within the Coltsville Historic District or any nationally significant properties within the boundary of the park, under which the Secretary may identify, interpret, restore, rehabilitate, and provide technical assistance for the preservation of the properties.

(2) **RIGHT OF ACCESS.**—A cooperative agreement entered into under paragraph (1) shall provide that the Secretary, acting through the Director of the National Park Service, shall have the right of access at all reasonable times to all public portions of the property covered by the agreement for the purposes of—

(A) conducting visitors through the properties; and

(B) interpreting the properties for the public.

(3) **CHANGES OR ALTERATIONS.**—No changes or alterations shall be made to any properties covered by a cooperative agreement entered into under paragraph (1) unless the Secretary and the other party to the agreement agree to the changes or alterations.

(4) **CONVERSION, USE, OR DISPOSAL.**—Any payment by the Secretary under this subsection shall be subject to an agreement that the conversion, use, or disposal of a project for purposes contrary to the purposes of this section, as determined by the Secretary, shall entitle the United States to reimbursement in an amount equal to the greater of—

(A) the amounts made available to the project by the United States; or

(B) the portion of the increased value of the project attributable to the amounts made available under this subsection, as determined at the time of the conversion, use, or disposal.

(5) **MATCHING FUNDS.**—

(A) **IN GENERAL.**—As a condition of the receipt of funds under this subsection, the Secretary shall require that any Federal funds made available under a cooperative agreement shall be matched on a 1-to-1 basis by non-Federal funds.

(B) **FORM.**—With the approval of the Secretary, the non-Federal share required under subparagraph (A) may be in the form of donated property, goods, or services from a non-Federal source, fairly valued.

(d) **ACQUISITION OF LAND.**—Land or interests in land owned by the State or any political subdivision of the State may be acquired only by donation.

(e) **TECHNICAL ASSISTANCE AND PUBLIC INTERPRETATION.**—The Secretary may provide technical assistance and public interpretation of related historic and cultural resources within the boundary of the historic district.

SEC. 5. MANAGEMENT PLAN.

(a) **IN GENERAL.**—Not later than 3 fiscal years after the date on which funds are made available to carry out this Act, the Secretary, in consultation with the Commission, shall complete a management plan for the park in accordance with—

(1) section 12(b) of Public Law 91-383 (commonly known as the National Park Service General Authorities Act) (16 U.S.C. 1a-7(b)); and

(2) other applicable laws.

(b) **COST SHARE.**—The management plan shall include provisions that identify costs to be shared by the Federal Government, the State, and the city, and other public or private entities or individuals for necessary capital improvements to, and maintenance and operations of, the park.

(c) **SUBMISSION TO CONGRESS.**—On completion of the management plan, the Secretary shall submit the management plan to—

(1) the Committee on Natural Resources of the House of Representatives; and

(2) the Committee on Energy and Natural Resources of the Senate.

SEC. 6. COLTSVILLE NATIONAL HISTORICAL PARK ADVISORY COMMISSION.

(a) **ESTABLISHMENT.**—There is established a Commission to be known as the Coltsville National Historical Park Advisory Commission.

(b) **DUTY.**—The Commission shall advise the Secretary in the development and implementation of the management plan.

(c) **MEMBERSHIP.**—

(1) **COMPOSITION.**—The Commission shall be composed of 11 members, to be appointed by the Secretary, of whom—

(A) 2 members shall be appointed after consideration of recommendations submitted by the Governor of the State;

(B) 1 member shall be appointed after consideration of recommendations submitted by the State Senate President;

(C) 1 member shall be appointed after consideration of recommendations submitted by the Speaker of the State House of Representatives;

(D) 2 members shall be appointed after consideration of recommendations submitted by the Mayor of Hartford, Connecticut;

(E) 2 members shall be appointed after consideration of recommendations submitted by Connecticut's 2 United States Senators;

(F) 1 member shall be appointed after consideration of recommendations submitted by Connecticut's First Congressional District Representative;

(G) 2 members shall have experience with national parks and historic preservation;

(H) all appointments must have significant experience with and knowledge of the Coltsville Historic District; and

(I) 1 member of the Commission must live in the Sheldon/Charter Oak neighborhood within the Coltsville Historic District.

(2) **INITIAL APPOINTMENTS.**—The Secretary shall appoint the initial members of the Commission not later than the earlier of—

(A) the date that is 30 days after the date on which the Secretary has received all of the recommendations for appointments under paragraph (1); or

(B) the date that is 30 days after the park is established.

(d) **TERM; VACANCIES.**—

(1) **TERM.**—

(A) **IN GENERAL.**—A member shall be appointed for a term of 3 years.

(B) **REAPPOINTMENT.**—A member may be reappointed for not more than 1 additional term.

(2) **VACANCIES.**—A vacancy on the Commission shall be filled in the same manner as the original appointment was made.

(e) **MEETINGS.**—The Commission shall meet at the call of—

(1) the Chairperson; or

(2) a majority of the members of the Commission.

(f) **QUORUM.**—A majority of the Commission shall constitute a quorum.

(g) **CHAIRPERSON AND VICE CHAIRPERSON.**—

(1) **IN GENERAL.**—The Commission shall select a Chairperson and Vice Chairperson from among the members of the Commission.

(2) **VICE CHAIRPERSON.**—The Vice Chairperson shall serve as Chairperson in the absence of the Chairperson.

(3) **TERM.**—A member may serve as Chairperson or Vice Chairperson for not more than 1 year in each office.

(h) **COMMISSION PERSONNEL MATTERS.**—

(1) **COMPENSATION OF MEMBERS.**—

(A) **IN GENERAL.**—Members of the Commission shall serve without compensation.

(B) **TRAVEL EXPENSES.**—Members of the Commission shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for an employee of an agency under subchapter 1 of chapter 57 of title 5, United States Code, while away from the home or regular place of business of the member in the performance of the duty of the Commission.

(2) **STAFF.**—

(A) **IN GENERAL.**—The Secretary shall provide the Commission with any staff members and technical assistance that the Secretary, after consultation with the Commission, determines to be appropriate to enable the Commission to carry out the duty of the Commission.

(B) **DETAIL OF EMPLOYEES.**—The Secretary may accept the services of personnel detailed from the State or any political subdivision of the State.

(i) **FACA NONAPPLICABILITY.**—Section 14(b) of the Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the Commission.

(j) **TERMINATION.**—

(1) **IN GENERAL.**—Unless extended under paragraph (2), the Commission shall terminate on the date that is 10 years after the date of the enactment of this Act.

(2) **EXTENSION.**—Eight years after the date of the enactment of this Act, the Commission shall make a recommendation to the Secretary if a body of its nature is still necessary to advise on the development of the park. If, based on a recommendation under this paragraph, the Secretary determines that the Commission is still necessary, the Secretary may extend the life of the Commission for not more than 10 years.

SEC. 7. AUTHORIZATION OF APPROPRIATION.

There is authorized to be appropriated \$10,000,000 for the development of the park.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN) and the gentleman from Washington (Mr. HASTINGS) each will control 20 minutes.

The Chair recognizes the gentlewoman from the Virgin Islands.

GENERAL LEAVE

Mrs. CHRISTENSEN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the bill under consideration.

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

There was no objection.

Mrs. CHRISTENSEN. Mr. Speaker, H.R. 5131 was introduced by the gentleman from Connecticut (Mr. LARSON) in April 2010. This bill would establish Coltsville National Historic Park on the former site of the Colt Fire Arms Company in Hartford, Connecticut.

H.R. 5131 would create the park as part of a collaborative partnership between willing public and private landowners in the Coltsville historic district. It would also help revitalize one of Hartford's most economically challenged neighborhoods with new investments.

A study conducted by the National Park Service found Coltsville to be of national significance but identified several technical challenges. Congressman LARSON has worked with the committee and the National Park Service to include provisions in the bill addressing all of the agency's concerns. Mr. LARSON is to be commended for his hard work on this legislation. This bill is good for the people of Connecticut, and it is good for our National Park System. I support H.R. 5131.

I reserve the balance of my time.

Mr. HASTINGS of Washington. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 5131 proposes to create a new unit of the National Park System honoring the Colt family and their contribution to our Nation through the innovation of precision manufacturing. Unfortunately, Mr. Speaker, there has been so little precision, apparently, in developing this legislation, that even the National Park Service has opposed the bill.

I know the sponsor of this bill has worked extremely hard on this legisla-

tion, but the National Park Service conducted a study on this proposal and found that although the Coltsville site is "nationally significant," there are so many unresolved issues that they were unable to conclude that the park proposal is feasible. In fact, they were unable to determine which parts of the site they would own or even manage.

Further complicating this proposal, the Park Service found—or rather I should say didn't find—that the public would have basic access to the site because it is under private ownership, among a variety of parties, including 55 condominiums and nine cottages.

It probably goes without saying that visitors to this park would want to see the factory where the famous revolvers and other firearms were produced. Upon their arrival, they will probably be very disappointed because, quoting the Park Service, "no commitments to permit visitors internal access to the Colt Fire Arms factory building currently exist."

How about a stop at the historic home of Samuel Colt? It is now a private, multiunit residential complex whose owners have determined that visitors touring through their homes would be, as the Park Service report states, "problematic."

Regardless of the will of these property owners, this legislation would create Federal boundaries around their property and raise serious questions about whether their property rights are being violated. We talked about that a few times earlier today. This is yet another reason why this bill in my view is not ready to move today.

In addition to the Park Service report, the agency testified in June on this legislation, and to quote from that testimony: "The department does not support enactment of this legislation due to the uncertainty associated with the ownership and long-term financial sustainability of the Coltsville development project."

They continue, "In concert with the lack of feasibility, the study was also unable to determine the need for the National Park Service management, or specifically which resources the National Park Service would manage."

As a very basic matter of priorities, I would remind my colleagues that the National Park Service already has a \$9 billion maintenance backlog. Authorizing \$10 million more for a new park that the Park Service doesn't believe is feasible to me makes no sense.

The American public is pleading for this Congress to stop out-of-control spending. While the concept and the intent behind this proposal may have merit, and I think it does have merit, we need to also acknowledge that the taxpayers will be on the hook for millions of dollars in rehabilitation costs just to prepare this site for visitors, if the visitors could get in, plus additional millions to manage the site from now to eternity.

Mr. Speaker, I remind my colleagues that at the request of this Congress,

the National Park Service conducted a study on this proposal and found substantial obstacles to it becoming a successful park. They reiterated that in testimony in June in front of the Natural Resources Committee. While this proposal may have its day, and I think it should have its day because of the historical significance of the Colt factory, in my view we are not there yet. So I urge my colleagues to oppose this legislation.

I reserve the balance of my time.

Mrs. CHRISTENSEN. Mr. Speaker, I am pleased to yield such time as he may consume to the chair of our caucus, the Honorable JOHN LARSON from Connecticut.

Mr. LARSON of Connecticut. I thank the gentlelady from the Virgin Islands, and I thank my colleague from Washington. I can't wait to invite him up to Coltsville so he will see the accessibility and be exposed to what is part of this Nation's industrial revolution and part of our DNA when it comes to manufacturing.

The gentleman points out clearly that the National Park Service has established its national significance. Its national significance, I think, is worth going into in as much as I don't think all of our colleagues here are aware of the great effort of Samuel Colt and actually his wife Elizabeth who managed the company for 39 years after his death. And even though she couldn't vote, managed one of the Nation's top companies that would have been then a Fortune Five company in this Nation. Indeed, it spawned the industrial revolution here. And as a lot of people know from the Colt signature iconic name, it was the gun that won the West. And I hope it wins your hearts today because along with recognizing its national historic significance and its suitability within the park system, it was modeled after what are difficult things for urban areas.

□ 1550

Unlike a lot of people out West who have spacious land, we are limited. This would be Connecticut's only national park because of its historic significance and also because of its economic significance. Hartford is the fourth poorest city in the Nation. Yes, there were obstacles that were put out in front over the last several years and then specifically in testimony. So, along with the committee, we sat down and worked through those issues.

The issues centered mainly around the third criterion, knowing it was nationally significant, that it was suitable within the scheme of things, and that it followed the precedent established in Lowell, established in Rosie the Riveter in California, and then also, most recently, established in 2010 with Patterson Falls. It follows all of those criteria, but it goes beyond that for exactly the points that the gentleman raises. This is why I think it is so important and why I encourage the dialogue.

We were on the phone with the National Park Service. They have no objection to this because this meets all of those criteria and those concerns. What are they?

First and foremost, the gentleman is correct, any time you are in an urban area, you are going to enter into different property rights concerns than you would in an area which is less congested, shall I say. The point is this:

Between all of the participants, including the Governor of the State, our economic development commission, the city of Hartford, their economic development commission, and the more than 88 property owners, everything was individually worked out. All are welcoming this with great pride and with the understanding of what this will mean to their city and with the understanding of what Coltsville and Elizabeth and Sam Colt mean to the State of Connecticut. This is, perhaps, not important to everybody here; but in a small State and in a small city that is economically depressed, it is enormously important.

The gentleman raises the point that there were feasibility questions raised. There were. The developer has been replaced with a major and significant developer who has the feasibility and capability. A cap has been placed on any potential liability and cost for the National Park Service, which is another important hurdle, I dare say, which is not in most pieces of legislation. It is also with the understanding that the Park Service has veto power over this legislation, even though all of the hurdles have been addressed, should it prove not to be economically feasible.

So I would plead with my colleague. I know, perhaps, in terms of the norm of national parks in an urban setting that in a congested and densely populated area like Connecticut, it's not going to meet a lot of those criteria. There are going to be property concerns. Though, you can go bipartisanly within your State, work with all the development authorities, go within the neighborhoods, work with everybody in the neighborhood, and then can look at this historic significance. Henry Ford went there to make sure he studied the assembly line. Pratt & Whitney were both apprentices there. It spawned the typewriter, the bicycle. The automobile we can even take credit for, though we are here to talk about the significance and the importance of this historic landmark.

The urgency is that this structure, the 10,000 square feet that actually the Park Service would be in charge of, is in desperate need, in urgent need. It should have been passed years ago. This is a tough process. We have worked—and I really implore my colleagues, and many of you know this from having gone through this locally—to have every local entity, down to the basic property holder, sign off on this enthusiastically, to experience all of the different hurdles that we have had to overcome and to go forward

bipartisanly with the Governor of the State of Connecticut. I think it underscores how important this is to our great State of Connecticut.

With that, Mr. Speaker, I would urge its passage.

I understand the concerns that you have raised, but the Park Service has absolute veto power over that, and I think we in good faith have met every single one of those concerns. It is my hope that any disagreement or lack of understanding that has transpired can be overcome. Yet the urgency of this passage, of its importance and significance, I'd say to my good colleague and friend, is truly important to the people of the State of Connecticut.

Mr. HASTINGS of Washington. Will the gentleman yield?

Mr. LARSON of Connecticut. I yield to the gentleman.

Mr. HASTINGS of Washington. We may as well have a discussion here. If you need time, I will yield the time.

First of all, I can see the passion that the gentleman has on this issue. Coming from the West, where that manufacturing facility won the West, I can understand that and respect that, but I do want to point out that there is a process here.

We had a hearing on this in June. The Park Service expressed their concerns here in testimony. I quoted part of those concerns. They expressed their concerns, and we expressed some concerns that we may have had because the private property aspect to it was part of the dialogue. We marked the bill up in July, once again, expressing our concerns.

I am one who respects when Members want to put something in their districts. Listen, they know their districts better than anybody else, and they should be given a lot of leeway; but there is a responsibility, if we are going to have national input, to know what the facts are so that we can respond accordingly, as it is not just the citizen taxpayers of Connecticut who are funding this; it is the taxpayers of the 50 States, so we need to have some answers.

Now, this bill was put on the suspension calendar last night. I have checked with my staff. We have yet to hear from the Park Service as to if it has changed its mind or not. You alluded to that fact, but we haven't gotten anything at all.

The gentleman knows that the approval rating of this Congress is very, very low, and it is precisely for these reasons. Even though we don't have the answers, albeit on a project that is small in terms of the overall scope of the Federal Government, it deserves to have answers, especially when we have been working on this. You said that you've been working on it, I think, if not publicly, then in private conversations for at least 10 years. These concerns that we have raised go back to this summer. They should at least be raised or answered, and they have not been adequately answered.

So, in the waning days of this session, I will tell the gentleman that I am more than willing to work with him, if this does not pass the Congress this year, to get these things resolved so that, indeed, we can memorialize that factory. Yet, with the information I have right now, I respectfully say to my friend that we have focused on the Park Service, but there is a cost associated with this, which I alluded to in my opening remarks, and there is a private property aspect. Those are all important issues.

With that, I thank the gentleman for yielding, but I have to say that I oppose this, and I am going to urge my colleagues to vote “no,” though I certainly want to revisit this sometime in the future so we can get this legislation passed.

Mr. LARSON of Connecticut. I thank the gentleman for his comments.

The future for the city of Hartford and for Coltsville is now, and the sense of urgency is upon us. My good friend and colleague from Washington State is an honest broker and an independent person.

I appreciate your comments and everything that you attributed to my enthusiasm and zeal. Let me say that that extends to the people of the State of Connecticut, as I indicated in a non-partisan way, who are very much committed to this.

The gentleman is correct that at the hearing, which I believe was in June, these issues were raised. We then sat down with the Park Service, and we addressed every one of their concerns. Representative GRIJALVA then introduced an amendment that we felt addressed those concerns as well.

□ 1600

In the push-and-shove of business here in Congress and on the floor, I understand sometimes in the process—and certainly the gentleman is correct in making process points. I just would say that this goes beyond process in terms of what it means.

We are a small State, Connecticut, but a very proud State. This is a project—certainly, everybody recognizes—that has national significance and historic value and deserves to be preserved. The problem is that postponing it yet again doesn’t work.

And so I understand your position, but I would implore people on the other side of the aisle. If you were in a similar situation—and understanding all the fiscal responsibility that we have as a Congress, and to say that you have ultimate veto power that you give to the National Park Service that the project cannot go forward unless everything has been met—and the State, its economic development authority, the City of Hartford, its municipality authority, all the property owners all embrace this and have done so enthusiastically. And the National Park Service has signed off on it, they told me.

I respect what the gentleman said, you haven’t received that. That’s un-

fortunate and unfair. I know you don’t doubt my word, and I certainly don’t doubt yours. I can only ask and implore that you support this, what I think is a very important and nationally significant bill.

Mr. HASTINGS of Washington. Mr. Speaker, I have made my points on this. I appreciate the gentleman’s input, but I stand by my opening remarks on this just because we haven’t got the information. So I urge my colleagues to vote “no” on this.

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

Mrs. CHRISTENSEN. Mr. Speaker, I urge my colleagues on both sides of the aisle to support this important legislation.

I yield back the balance of my time.

The SPEAKER pro tempore (Mr. LANGEVIN). The question is on the motion offered by the gentleman from the Virgin Islands (Mrs. CHRISTENSEN) that the House suspend the rules and pass the bill, H.R. 5131, 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. HASTINGS of Washington. 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.

STRENGTHENING MEDICARE ANTI-FRAUD MEASURES ACT OF 2010

Mr. PALLONE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 6130) to amend title XI of the Social Security Act to expand the permissive exclusion from participation in Federal health care programs to individuals and entities affiliated with sanctioned entities, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 6130

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 “Strengthening Medicare Anti-Fraud Measures Act of 2010”.

SEC. 2. PERMISSIVE EXCLUSION FROM FEDERAL HEALTH CARE PROGRAMS EXPANDED TO INDIVIDUALS AND ENTITIES AFFILIATED WITH SANCTIONED ENTITIES.

Section 1128(b)(15) of the Social Security Act (42 U.S.C. 1320a-7(b)(15)) is amended to read as follows:

“(15) INDIVIDUALS OR ENTITIES AFFILIATED WITH A SANCTIONED ENTITY.—(A) Any of the following:

“(i) Any individual who—

“(I) is a person with an ownership or control interest (as defined in section 1124(a)(3)) in a sanctioned entity or an affiliated entity of such sanctioned entity (or was a person with such an interest at the time of any of the conduct that formed a basis for the conviction or exclusion described in subparagraph (B)); and

“(II) knows or should know (as defined in section 1128A(i)(7)) (or knew or should have known) of such conduct.

“(ii) Any individual who is an officer or managing employee (as defined in section 1126(b)) of a sanctioned entity or affiliated entity of such sanctioned entity (or was such an officer or managing employee at the time of any of the conduct that formed a basis for the conviction or exclusion described in subparagraph (B)).

“(iii) Any affiliated entity of a sanctioned entity.

“(B) For purposes of this paragraph, the term ‘sanctioned entity’ means an entity—

“(i) that has been convicted of any offense described in subsection (a) or in paragraph (1), (2), or (3) of this subsection; or

“(ii) that has been excluded from participation under a program under title XVIII or under a State health care program.

“(C)(i) For purposes of this paragraph, the term ‘affiliated entity’ means, with respect to a sanctioned entity—

“(I) an entity affiliated with such sanctioned entity; and

“(II) an entity that was so affiliated at the time of any of the conduct that formed the basis for the conviction or exclusion described in subparagraph (B).

“(ii) For purposes of clause (i), an entity shall be treated as affiliated with another entity if—

“(I) one of the entities is a person with an ownership or control interest (as defined in section 1124(a)(3)) in the other entity (or had such an interest at the time of any of the conduct that formed a basis for the conviction or exclusion described in subparagraph (B));

“(II) there is a person with an ownership or control interest (as defined in section 1124(a)(3)) in both entities (or had such an interest at the time of any of the conduct that formed a basis for the conviction or exclusion described in subparagraph (B)); or

“(III) there is a person who is an officer or managing employee (as defined in section 1126(b)) of both entities (or was such an officer or managing employee at the time of any of the conduct that formed a basis for the conviction or exclusion described in subparagraph (B)).”

SEC. 3. BUDGETARY EFFECTS OF PAYGO LEGISLATION.

The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled “Budgetary Effects of PAYGO Legislation” for this Act, submitted for printing in the Congressional Record by the Chairman of the House Budget Committee, provided that such statement has been submitted prior to the vote on passage.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Jersey (Mr. PALLONE) and the gentleman from Kentucky (Mr. WHITFIELD) each will control 20 minutes.

The Chair recognizes the gentleman from New Jersey.

GENERAL LEAVE

Mr. PALLONE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material in the RECORD.

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

There was no objection.

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