

free to choose our own doctor. And we're free to go to the closest emergency room.

These five new essential American freedoms will be yours for only as long as you can hang onto them. We as Democrats fought very hard to secure them. We're going to work very hard with everyone in this country to hold onto these newfound freedoms. Your freedoms are yours for only as long as you can hang onto them.

#### MIDDLE CLASS TAX CUTS

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

Ms. CHU. During the worst recession in decades, should we be giving hundreds of billions in borrowed money to the rich? No. Instead, we should reignite the economy and focus on protecting the middle class. That's why I support extending tax cuts for them, who are 98 percent of American families.

But some in Congress are holding the middle class hostage in order to cut taxes for the wealthiest 2 percent. In tough times like these, millionaires should be giving to charity, not getting it. This will force our cash strapped government to lose \$700 billion over the next decade.

And where will this money go? Straight into the pockets of those making more than half a million a year. What's worse, the wealthy are less likely to spend this money, doing little to help our economy recover.

To me, the answer is clear—let's put our money where it creates jobs and helps the people who need it. Let's extend middle class tax cuts.

#### THE FEDERAL EMPLOYMENT PAY FREEZE

(Mr. MORAN of Virginia asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MORAN of Virginia. Madam Speaker, I can understand why President Obama has chosen to freeze Federal pay for the next 2 years. From a political standpoint, it preempts what the Republicans would have tried to do next year, anyway, and it responds to an antigovernment attitude that was most profoundly reflected in this month's congressional elections.

From a policy standpoint, though, it is, as they say, penny wise and pound foolish. The Federal Government has been subjected to a brain drain over the last decade, where the best and brightest folks in procurement, research and development, information technology, program management, budget and accounting and a host of other essential skill sets have gone over to the private sector for more pay and, in many cases, better working conditions.

Most of the Federal civil service is eligible for retirement within the next

few years. This move, which saves very little money, sends a signal individually and collectively to accelerate that decision, thereby potentially leaving our economy and our society in a weaker position to compete globally and to prosper domestically.

□ 1220

#### DEFINING CHOICES FOR THE MIDDLE CLASS

(Mr. BRALEY of Iowa asked and was given permission to address the House for 1 minute.)

Mr. BRALEY of Iowa. Madam Speaker, as the American middle class continues to endure tough economic challenges, the deadline looms for extending middle class tax cuts that will provide continued relief when it is needed the most.

Standing in our way are Republicans who are holding the middle class hostage in favor of giving added tax breaks to millionaires and billionaires, even though these bonus tax breaks would add \$700 billion to the national deficit.

So what is at stake? These middle class tax cuts will provide 98 percent of Americans who face a tax increase on January 1 the much needed relief that they deserve. For the typical middle class family, that means the loss of \$2,000 next year. The Republican demands would mean that those making more than \$1 million a year would receive an average of \$100,000 annually, and the middle class would be saddled with \$700 billion in new debt to pay for multimillion-dollar tax cuts for billionaires. In tough times like these, millionaires should be giving charity, not getting it, and that is the choice that the American people should be demanding that we make.

#### AMERICA'S NUCLEAR WASTE PROBLEM

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

Ms. BERKLEY. Madam Speaker, the incoming House leadership has signaled that they are once again resurrecting Yucca Mountain as a solution to this Nation's nuclear waste problem. This is the height of insanity.

Let me remind my colleagues on the other side of the aisle that we are talking about shipping 77,000 tons of lethal, radioactive nuclear waste across 43 States to be buried in a hole in the Nevada desert where we have groundwater issues, seismic activity and volcanic activity, and it is 90 miles from a major population center—Las Vegas.

There are no EPA radiation standards. There is no way to protect the shipments from terrorist attacks. It requires millions of gallons of water. We are in the desert; there is no water. We are in the middle of a drought.

This is a waste of taxpayer money. Let's bury this ridiculous idea and fig-

ure out what we are going to do with this Nation's nuclear waste before we continue to produce more nuclear waste that we still don't know what to do with. Let's forget this nonsense and figure out how this Nation is going to become energy independent. Nuclear is not the way to go.

#### TAX CUTS FOR MILLIONAIRES

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

Ms. SHEA-PORTER. Madam Speaker, Republicans are holding tax cuts for the middle class hostage as they try to extend tax cuts for millionaires. They say letting tax cuts for the very wealthy expire will hurt small businesses. It is just not true. Ninety-seven percent of small businesses would see no tax increase under the Democratic plan. If the Republicans think they are talking about small businesses, they are truly out of touch.

While they stand in the way of unemployment benefits for millions of Americans still reeling from the crisis Wall Street and the previous administration created, they are doing everything they can to give huge checks to millionaires. This is just one more example of who the Republicans are really watching out for.

#### PROVIDING FOR CONSIDERATION OF SENATE AMENDMENTS TO H.R. 4783, CLAIMS RESOLUTION ACT OF 2010

Mr. PERLMUTTER. Madam Speaker, by direction of the Committee on Rules, I call up House Resolution 1736 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 1736

*Resolved*, That upon adoption of this resolution it shall be in order to take from the Speaker's table the bill (H.R. 4783) to accelerate the income tax benefits for charitable cash contributions for the relief of victims of the earthquake in Chile, and to extend the period from which such contributions for the relief of victims of the earthquake in Haiti may be accelerated, with the Senate amendments thereto, and to consider in the House, without intervention of any point of order, a single motion offered by the chair of the Committee on Natural Resources or his designee that the House concur in the Senate amendments. The Senate amendments shall be considered as read. The motion shall be debatable for one hour, with 50 minutes equally divided and controlled by the chair and ranking minority member of the Committee on Natural Resources and 10 minutes equally divided and controlled by the chair and ranking minority member of the Committee on Ways and Means. The previous question shall be considered as ordered on the motion to its adoption without intervening motion or demand for division of the question.

The SPEAKER pro tempore. The gentleman from Colorado is recognized for 1 hour.

Mr. PERLMUTTER. Madam Speaker, for purposes of debate only, I yield the

customary 30 minutes to my friend from North Carolina, (Dr. Foxx).

GENERAL LEAVE

Mr. PERLMUTTER. I also ask unanimous consent that all Members be given 5 legislative days in which to revise and extend their remarks on House Resolution 1736.

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

There was no objection.

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

Madam Speaker, House Resolution 1736 provides for the consideration of the bill H.R. 4783, the Claims Resolution Act of 2010. It makes in order a motion to concur in the Senate amendment thereon by the chairman of the Committee on Natural Resources. It provides 1 hour of debate, with 50 minutes of debate controlled by the Natural Resources Committee and 10 minutes controlled by the Ways and Means Committee.

The bill contains a number of important provisions, many of which have already passed the House. It approves settlements in the class action lawsuits brought against the United States Department of Agriculture by African American farmers and against the Interior Department by Native Americans.

The bill will fully fund America's obligations in these cases and settles both the Cobell and Pigford class action lawsuits. Both of these have been in the courts and settlement talks for years and years.

In Cobell, the Interior Department was ruled at fault for mismanaging billions of dollars in grazing land, gas, and other royalties owed to thousands of American Indians. This settlement will pay off roughly 500,000 plaintiffs in the case. In Pigford, the Agriculture Department discriminated against thousands of African American farmers who applied for loans and other assistance during the 1980s and 1990s.

The plaintiffs in these cases have waited decades for resolution of this matter. Justice must not be delayed any further. Passing this measure will bring closure for hundreds of thousands of Americans who have been mistreated or had their rights violated by the government.

Passage will also approve four water rights settlements with American Indian tribes, providing the tribes with funding to rehabilitate and build new reservoirs, irrigation and water distribution systems. The House has already approved three out of four of these settlements.

Another critical provision in this bill is the extension of Temporary Assistance to Needy Families, also known as TANF. This comes at a time when so many Americans are struggling financially and are due to lose the support of this program if the House does not act. While the Senate amendments we are considering today incur more costs

in the short term, over 10 years this bill will actually save money and reduce the deficit.

On November 19, the Senate took up the bill, adopted an amendment in the nature of a substitute, and passed the bill, all by unanimous consent. The House must pass these measures without any further delay. I urge my colleagues to vote in favor of the rule and the underlying bill.

I reserve the balance of my time.

Ms. FOXX. Madam Speaker, I yield myself such time as I may consume, and I thank my colleague from Colorado for yielding me this time.

Madam Speaker, I am going to talk about this rule and the underlying bill, but I have to say again, in response to our colleagues who were speaking just before we began this debate, those across the aisle who are in the majority by at least 39 votes, they are in the majority in the Senate also, and they cannot continue to say that Republicans are holding any bill hostage. We do not have the capability of holding bills hostage in this House, and it is really a concern of mine and some of my colleagues on this side of the aisle that our friends keep making that comment. They can bring a bill up any time they want to, just like we will be dealing with these five bills, six bills today. They can't blame Republicans for their inadequacies.

□ 1230

Madam Speaker, I have several concerns with the underlying bill that the Democrats have brought before us today. For a start, this bill is over 270 pages and costs over \$5.7 billion; it is not PAYGO-compliant; it was written behind closed doors in the dark of night; it does not afford Republicans the opportunity to amend the legislation to improve the bill and to make it more responsible to the taxpayer; and it combines six pieces of controversial legislation of concern to my colleagues on this side of the aisle.

While there may be merit in addressing each of these items individually, to combine them in one single piece of legislation and to force a single vote with full knowledge that Members and their constituents have several outstanding concerns represents irresponsible behavior. It does not represent the kind of governing that the people of this country deserve.

I do want to say to my colleague across the aisle that Republicans abhor any type of discrimination, and inasmuch as people have been discriminated in this country in the past, we object to that. We abhor it. So our objections have nothing to do with past discriminations but, rather, with the way that money is being spent and the way bills are being brought up continually under closed rules.

This bill contains two bills which settle two different class action lawsuits and four bills approving four different water rights settlements.

It provides \$3.4 billion to approve a settlement reached by the Department

of the Interior and Native Americans to resolve the Cobell v. Salazar case concerning the alleged mismanagement of royalties owed to Native American tribes by the Department of the Interior.

There is merit to reaching a resolution to this longstanding case. However, individual Native Americans and respected Native American organizations have outstanding concerns with this settlement which they have voiced directly to Congress. Instead of addressing these concerns, Democrats have brought this bill to the floor under a structured rule that does not allow Members the opportunity to fix the concerns.

One of the major concerns with this settlement is it allows plaintiff attorneys to be paid in excess of \$100 million. Since every dollar paid to attorneys comes from the pockets of individual Native Americans, Ranking Member DREIER offered an amendment last night in the Rules Committee to limit attorneys' fees to \$50 million, but his amendment was rejected by the ruling Democrats, so we are unable to consider it on the floor today.

The second individual bill contained in this legislation provides \$1.15 billion to approve the Pigford v. Glickman legal case in which African American farmers alleged discrimination by the Department of Agriculture when applying for loans in the 1980s and 1990s. Alarming, when this case was originally brought forward in 1997, it was then estimated that 2,000 farmers may have suffered from discrimination by the USDA. Today, while the number widely varies, it is estimated that approximately 65,000 potential claims exist.

Former Agriculture Secretary Ed Schafer stated that, while those who were discriminated against "should be reimbursed," there are other hangers-on trying to game the system. According to former Secretary Schafer, "The problem you have with the class action lawsuits is a lot of people jump in that may be on the fringe, that maybe don't deserve it, that sounded good because their neighbor got a check. It is very expensive, very time consuming. Some people will get paid that probably don't deserve it. I don't like that kind of thing. I like to settle on merit."

Therefore, the \$1.15 billion provided in this bill may go to claimants who do not have valid claims but, who due to the gross incompetency of the Federal Government, may now receive fast-track payments for up to \$50,000 in taxpayer money. Approval of the Pigford v. Glickman settlement is not PAYGO-compliant and is in addition to the \$100 million already provided for in this case by the 2008 farm bill.

The next four bills contained in this legislation are four separate water rights settlements with Native American tribes. Taken together, they direct the government to fund nearly \$1 billion and to participate in the construction and maintenance of the specified local water systems.

The first water rights settlement included in this bill provides \$324.5 million to create a new rural water system with the White Mountain Apache Tribe in Arizona. The second water rights settlement included in this bill provides \$136 million to approve a settlement agreement among the Taos Pueblo, the Federal Government and the State of New Mexico. The third water rights settlement included in this bill provides \$465 million to approve the 1999 settlement between the Crow Nation and the State of Montana. The fourth water rights settlement included in this bill authorizes \$199 million to approve the controversial Aamodt Litigation Settlement in New Mexico.

Although some of these settlements are well-intended, there are fiscal concerns and a multitude of unanswered questions that still need to be addressed.

It is unclear whether these settlement amounts are in the best interest of U.S. taxpayers. The Republicans on the Natural Resources Committee asked the Department of Justice months ago whether these settlement amounts represent a net benefit to taxpayers as compared to the consequences and costs of litigation, but we have not yet received a response.

Voting to approve these water rights settlements forces Congress to be an arbitrator between sides involved in litigation. That is not a role that Congress should be forced to assume without sufficient information, information which still has not been provided by the Department of Justice. These settlements would be better resolved at the local level.

As Representatives, we owe it to our constituents to make sure settlements are not being made that will overcompensate a group or locality at the expense of the taxpayers. There is no documentation that these settlements would save the taxpayers money, and therefore it is unclear whether Congress is fulfilling its fiduciary responsibilities to the taxpayer.

As my colleague from Colorado said a little bit ago, the philosophy of our friends across the aisle is that spending saves money. That isn't an argument that the American people are buying anymore. As you can see, Madam Speaker, each of these six bills has individual concerns that must be addressed on the floor of the House. Instead of affording Members the opportunity to fix these bills, however, the bill before us today is another representation of the failed Democrat strategy for passing legislation: throw numerous bills together into one cumbersome legislative vehicle; slap an outrageous price tag on it; waive PAYGO; and call for an immediate vote under a structured rule which does not allow for any amendments.

The American people have grown tired of waiting for real solutions to their problems. Fortunately, help is on the way, and in January, this House

will set a new course toward protecting individual liberty and shrinking the unending expansion of the suffocating Federal bureaucracy. That's why I will urge my colleagues to vote "no" on this irresponsible rule and on the underlying legislation.

I reserve the balance of my time.

Mr. PERLMUTTER. In response to my friend from North Carolina, I would say that the Republicans in the United States Senate are the ones who have been holding up legislation just as this until they get what they want. They put all these things together, and send it back to the House.

With that, I yield 3 minutes to my friend from Missouri (Mr. CLAY).

Mr. CLAY. Madam Speaker, today I rise to urge the adoption of this rule as well as the underlying bill.

I support this funding to right two historic wrongs that have tarnished our Nation for far too long—the Pigford and Cobell settlements. It is a sad truth that the USDA, under both Republican and Democratic administrations, have previously engaged in well-documented discrimination in loan, grant and trust programs.

These indefensible actions adversely affected thousands of African American and Native American farmers. Patterns of discrimination resulted in the foreclosures of family farms and in severe financial hardships, some of which are still being felt to this day.

In my home State of Missouri, I have personally met with numerous African American farmers who were misled, discriminated against and, in some cases, deliberately deceived by the USDA. These descendants of freed slaves were victimized by their own government time and time again.

□ 1240

In Congress, compensation for Pigford I, Pigford II and Cobell has been blocked by partisan attempts to politicize this issue. This delay is inexcusable. This is not about politics; it is a test of our commitment to honesty, fairness, and justice for all.

Today we have a bipartisan opportunity to end this obstruction and finally do the right thing for those whom this government has failed. I urge my colleagues on both sides of the aisle to exercise our shared sense of American decency to swiftly pass this bill and the rule as we take final action together to resolve this grave injustice.

Ms. FOXX. Madam Speaker, I yield 5 minutes to my colleague from Iowa (Mr. KING).

Mr. KING of Iowa. I thank the gentlelady from North Carolina for yielding.

I come to the floor troubled, considerably troubled by—and in opposition to the rule—by this Pigford settlement proposal that we've heard about just now.

It was brought to my attention sometime after I was elected to Congress. I had a number of Iowa USDA employees that were deployed to Washington,

D.C., and other locations to assist in administering the Pigford I settlement. They distributed \$1.05 billion to African American farmers, some of whom were discriminated against. All of those that were discriminated against I would agree, I think with all of my colleagues, that they should be compensated to the degree that is practicable by law. However, as I sat down with the individuals that were administering the Pigford I settlement, and one of them came back with a box of file forms and applications sick to his stomach and told me that he had been compelled to engage in a practice that he believed was 75 percent fraudulent at a minimum, I thought that was a high and shocking number and put the information away until it emerged again and again in this Congress. It emerged before the Judiciary Committee in hearings before the committee on Pigford II to open it up again. There, the president of the Black Farmers Organization, John Boyd, testified under oath that there are 18,000 black farmers. As I go back through the USDA records, I can find a peak of perhaps as many as 36,000, but his number of 18,000 sticks in my mind. We are up to 94,000 claims, Madam Speaker, and 18,000 black farmers. And if you presume that everyone was discriminated against—which I reject on its face—we are looking at something here that is a multiplier beyond what this Congress ever intended. And as the gentlelady from North Carolina said, an anticipated couple of thousand applicants turns into now 90,000-plus applicants, of which perhaps two-thirds of them may be successful in their \$50,000 stipend.

There was a statute of limitations. That consent decree was closed April 14, 1999, and since that time it has been opened up a second time. The Ag Committee is the other component of this. Myself and Congressman GOODLATTE of Virginia are the only two that serve on Judiciary and on Ag. There, in the 2008 farm bill, the chairman of the Ag Committee, Mr. PETERSON, put in \$100 million to be the end, the settlement of Pigford. That was going to be the end of it for all time. We had an intense conversation on that. I said it will be an additional \$1.3 billion; he insisted that \$100 million would end it. I have the language here, Madam Speaker, that puts the cap on this at \$100 million. Here we are, 2 short years later, with \$1.3 billion, and the people that I'm talking to that have administered this at higher levels yet than those that first brought it to my attention tell me that the levels of fraud are higher yet. And it is not just \$50,000, it's \$50,000 plus 25 percent of that check that goes to the IRS to pay the tax liability, so there's another \$12,500. Judge Paul Friedman estimated the debt that would be forgiven would be an average of \$100,000 per black farmer and another 25 percent IRS checks. So we're at \$187,500, and still this Congress has no access to the records other than

those that have been spirited out of the USDA.

So it isn't just that we should not fund this; there is no deal. There was no Congress directive that sent Eric Holder and Tom Vilsack to sit down with John Boyd of the Black Farmers and make a new deal and come to this Congress and say appropriate \$1.5 billion additional dollars to fund the Pigford II. That was their elective. In fact, that was their elective in the face of Congress' direction that it would be capped at \$100 million in the 2008 farm bill. There is no deal unless Congress authorizes this today. And if we do so, we are asking Members that haven't had access to the information to ratify an agreement that was put together by Eric Holder and Tom Vilsack at their own volition, not by the direction of Congress.

The next Congress has an obligation to look into these records and check the data and follow through the threads of fraud and be honest with the American taxpayers and make sure that those that have been discriminated against are compensated. But the central point here is this, Madam Speaker: For the altogether \$2.3 billion that the taxpayers have accepted this liability, there hasn't been one USDA employee that has been fired or disciplined, not one. And the Secretary of Agriculture tells me he's not willing to relitigate Pigford I, he's not willing to open up the records to allow us to look at it, and he's not willing to allow us to look over his shoulder to assure that Pigford II is less fraudulent than Pigford I.

For all of these reasons, I ask my colleagues to vote "no" on the rule and "no" on the bill.

#### H.R. 2419 SEC. 14012. DETERMINATION ON MERITS OF PIGFORD CLAIMS.

(a) DEFINITIONS.—In this section:

(1) CONSENT DECREE.—The term 'consent decree' means the consent decree in the case of *Pigford v. Glickman*, approved by the United States District Court for the District of Columbia on April 14, 1999.

(2) DEPARTMENT.—The term 'Department' means the Department of Agriculture.

(3) PIGFORD CLAIM.—The term 'Pigford claim' means a discrimination complaint, as defined by section 1(h) of the consent decree and documented under section 5(b) of the consent decree.

(4) PIGFORD CLAIMANT.—The term 'Pigford claimant' means an individual who previously submitted a late-filing request under section 5(g) of the consent decree.

(b) DETERMINATION ON MERITS.—Any Pigford claimant who has not previously obtained a determination on the merits of a Pigford claim may, in a civil action brought in the United States District Court for the District of Columbia, obtain that determination.

(c) LIMITATION.—

(1) IN GENERAL.—Subject to paragraph (2), all payments or debt relief (including any limitation on foreclosure under subsection (h)) shall be made exclusively from funds made available under subsection (i).

(2) MAXIMUM AMOUNT.—The total amount of payments and debt relief pursuant to actions commenced under subsection (b) shall not exceed \$100,000,000.

(d) INTENT OF CONGRESS AS TO REMEDIAL NATURE OF SECTION.—It is the intent of Con-

gress that this section be liberally construed so as to effectuate its remedial purpose of giving a full determination on the merits for each Pigford claim previously denied that determination.

(e) LOAN DATA.—

(1) REPORT TO PERSON SUBMITTING PETITION.—

(A) IN GENERAL.—Not later than 120 days after the Secretary receives notice of a complaint filed by a claimant under subsection (b), the Secretary shall provide to the claimant a report on farm credit loans and non-credit benefits, as appropriate, made within the claimant's county (or if no documents are found, within an adjacent county as determined by the claimant), by the Department during the period beginning on January 1 of the year preceding the period covered by the complaint and ending on December 31 of the year following the period.

(B) REQUIREMENTS.—A report under subparagraph (A) shall contain information on all persons whose application for a loan or benefit was accepted, including—

(i) the race of the applicant;

(ii) the date of application;

(iii) the date of the loan or benefit decision, as appropriate;

(iv) the location of the office making the loan or benefit decision, as appropriate;

(v) all data relevant to the decisionmaking process for the loan or benefit, as appropriate; and

(vi) all data relevant to the servicing of the loan or benefit, as appropriate.

(2) NO PERSONALLY IDENTIFIABLE INFORMATION.—The reports provided pursuant to paragraph (1) shall not contain any information that would identify any person who applied for a loan from the Department.

(3) REPORTING DEADLINE.—

(A) IN GENERAL.—The Secretary shall—

(i) provide to claimants the reports required under paragraph (1) as quickly as practicable after the Secretary receives notice of a complaint filed by a claimant under subsection (b); and

(ii) devote such resources of the Department as are necessary to make providing the reports expeditiously a high priority of the Department.

(B) EXTENSION.—A court may extend the deadline for providing the report required in a particular case under paragraph (1) if the Secretary establishes that meeting the deadline is not feasible and demonstrates a continuing effort and commitment to provide the required report expeditiously.

(f) EXPEDITED RESOLUTIONS AUTHORIZED.—

(1) IN GENERAL.—Any person filing a complaint under this section for discrimination in the application for, or making or servicing of, a farm loan, at the discretion of the person, may seek liquidated damages of \$50,000, discharge of the debt that was incurred under, or affected by, the 1 or more programs that were the subject of the 1 or more discrimination claims that are the subject of the person's complaint, and a tax payment in the amount equal to 25 percent of the liquidated damages and loan principal discharged, in which case—

(A) if only such damages, debt discharge, and tax payment are sought, the complainant shall be able to prove the case of the complainant by substantial evidence (as defined in section 1(l) of the consent decree); and

(B) the court shall decide the case based on a review of documents submitted by the complainant and defendant relevant to the issues of liability and damages.

(2) NONCREDIT CLAIMS.—

(A) STANDARD.—In any case in which a claimant asserts a noncredit claim under a benefit program of the Department, the court shall determine the merits of the

claim in accordance with section 9(b)(i) of the consent decree.

(B) RELIEF.—A claimant who prevails on a claim of discrimination involving a non-credit benefit program of the Department shall be entitled to a payment by the Department in a total amount of \$3,000, without regard to the number of such claims on which the claimant prevails.

(g) ACTUAL DAMAGES.—A claimant who files a claim under this section for discrimination under subsection (b) but not under subsection (f) and who prevails on the claim shall be entitled to actual damages sustained by the claimant.

(h) LIMITATION ON FORECLOSURES.—Notwithstanding any other provision of law, during the pendency of a Pigford claim, the Secretary may not begin acceleration on or foreclosure of a loan if—

(1) the borrower is a Pigford claimant; and

(2) makes a prima facie case in an appropriate administrative proceeding that the acceleration or foreclosure is related to a Pigford claim.

(i) FUNDING.—

(1) IN GENERAL.—Of the funds of the Commodity Credit Corporation, the Secretary shall make available for payments and debt relief in satisfaction of claims against the United States under subsection (b) and for any actions under subsection (g) \$100,000,000 for fiscal year 2008, to remain available until expended.

(2) AUTHORIZATION OF APPROPRIATIONS.—In addition to funds made available under paragraph (1), there are authorized to be appropriated such sums as are necessary to carry out this section.

(j) REPORTING REQUIREMENTS.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act and every 180 days thereafter until the funds made available under subsection (i) are depleted, the Secretary shall submit to the Committee on the Judiciary of the House of Representatives and the Committee on the Judiciary of the Senate a report that describes the status of available funds under subsection (i) and the number of pending claims under subsection (f).

(2) DEPLETION OF FUNDS REPORT.—In addition to the reports required under paragraph (1), the Secretary shall submit to the Committee on the Judiciary of the House of Representatives and the Committee on the Judiciary of the Senate a report that notifies the Committees when 75 percent of the funds made available under subsection (i)(1) have been depleted.

(k) TERMINATION OF AUTHORITY.—The authority to file a claim under this section terminates 2 years after the date of the enactment of this Act.

Mr. PERLMUTTER. I would just say to my friend from Iowa that the settlement now applies to all African American farmers who were discriminated against, not just those that filed their claim by 1997, and as a consequence, it's a much broader class that is being settled with. We just can't have this kind of discrimination going on in this country, and America needs to pay its debts and not allow this kind of discrimination to go forward.

Madam Speaker, I yield 2 minutes to my friend from Ohio, Congresswoman FUDGE.

Ms. FUDGE. Thank you for the time.

Madam Speaker, here we go again. It's just a matter of delay, delay, no, no, no.

Eleven years ago, tens of thousands of black farmers settled a landmark

court case which addressed years and years of discrimination by the Department of Agriculture. Finally, finally, today, Madam Speaker, these farmers, these men and women who literally put food on our tables are receiving justice.

While litigation against the USDA for discrimination against black farmers began in August of 1997 with the Pigford and Glickman case, the injustice has spanned decades. Over 66,000 black farmers were routinely denied USDA farm loans or forced to wait, to wait and wait for loan approvals much longer than non-minorities. These farmers faced foreclosure and financial ruin because of USDA's discriminatory denials and unconscionable actions. Many of these farmers died, helplessly, hopelessly waiting for justice. Today, finally this Congress will pass the funding legislation, which is about more than just money; today's vote is about justice.

Now, make no mistake, I do indeed take issue with redirecting money from our Nation's needy infants and children to right this wrong. However, justice delayed is justice denied, and I would hope that my colleagues across the aisle who keep talking about fraud, we've been talking about Pigford for years, if there is fraud, where is your proof? Madam Speaker, I say today that there is no fraud. The courts have put in every single hoop they can possibly put in for black farmers to jump through. It is time for us to pay these people their just due.

Ms. FOXX. Madam Speaker, I yield myself such time as I may consume.

I think the debate on this bill today points out why we have such a broken system in this country right now.

□ 1250

The Federal Government has no business being in the farm business. We need to get our Federal Government back to the intended purposes of the Federal Government, which are very limited in our Constitution. Every time the Federal Government gets involved in things it has no business getting involved in, they go awry, and I think the arguments from our colleagues across the aisle point that out.

I also want to point out that contrary to statements repeated over and over again by our colleagues across the aisle, Americans have not enjoyed any tax cuts in the past 4 years since they have been in charge of this Congress. To the contrary, the House Republican Ways and Means Committee has highlighted more than \$680 billion in tax increases that have been imposed on the American people since the ruling liberal Democrats took control of Washington in January of 2009. Now, because of Democrat inaction, the American people are looking at the largest tax increase in the history of our country, which would affect all married couples, all families with children, seniors, and small businesses. That would destroy an average of 693 jobs every year through 2020; drain \$726 billion from

disposable income, \$38 billion from personal savings, and \$33 billion from business investments.

That would raise taxes on the 55 percent of all joint filers earning more than \$250,000 who run small businesses that employ others; cost the average nonfarm small business owner \$3,500 more in taxes; cost the 49 percent of all seniors with income below \$250,000 525 more dollars in additional dividend taxes, and cost the 25 percent of seniors with income below \$250,000 \$742 in higher taxes.

President Obama's plan to allow portions of the 2001 and 2003 tax rates to expire, resulting in steep tax hikes beginning in January of 2011 for small businesses and those earning \$250,000 or more would significantly affect the economy in North Carolina, most notably in the number of jobs and changes in personal income.

According to the Heritage Foundation, from 2011 to 2020, North Carolina's Fifth Congressional District would lose, on average, 1,577 jobs annually; lose, per household, \$4,647 in total disposable income; and see total district-wide individual income taxes increase by \$827 million.

The job-killing consequences continue with evidence based on a simulation of the Moody's Analytics macroeconomic model, which indicates that an across-the-board tax increase would precipitate a double-dip recession during the first half of 2011; leave employment in decline throughout 2011, ultimately leading to 8.6 million fewer jobs than we had in 2007; aggravate the unemployment rate, which would remain above 10 percent through late 2012; promote a sluggish GDP growth of 0.9 percent in 2011; and prevent a return to full employment until 2015.

Although the proposal to increase income taxes for those earning over \$250,000 technically applies to 2 percent of taxpayers, the simple truth is that the top two income brackets play a critical role in keeping the economy running, as they already contribute 50 percent of all tax dollars, spend 25 percent of U.S. personal outlays, and generate 50 percent of small business income.

Those with income under \$250,000 will be impacted by the increase in dividends and capital gains taxes as 24 percent of tax filers with incomes less than \$250,000 would be hit by increased dividend taxes and 10 percent by increased capital gains taxes. Furthermore, half of seniors earning under \$250,000 would have to pay higher taxes for dividends, capital gains, or both. Over the next 10 years, the Heritage Foundation projects a \$1.1 trillion GDP loss if current tax rates are not extended.

The case is clear. The Democrats' misguided tax plan is motivated by class warfare, not sound economic policy.

Fortunately, Americans roundly rejected this incompetent governance and Republicans stand ready to pro-

mote policies to help restore America's economic vitality.

With that, Madam Speaker, I reserve the balance of my time.

Mr. PERLMUTTER. Madam Speaker, I would remind the body that we're here to discuss Cobell v. Salazar, Pigford v. Glickman, plus the settlement of a number of water right cases.

But even having said that, I would like to respond to my friend from North Carolina that not even the Republican Congress that set forth these tax cuts for millionaires and billionaires thought they would go on forever. They set them so that they would expire at the end of this year so that this Nation would have the revenue that it needs to pay its bills. But the Republicans who have now taken this House want to continue those tax cuts for millionaires and billionaires so that this country can't pay its bills as it's supposed to.

So the tax cuts, prosecuting two wars without paying for them, allowing the bottom to fall out of Wall Street without any regulation sent this country into a huge deficit which has to stop, and it has to stop now.

Now, we've seen, since we've passed the Recovery Act, growth in the economy, not that loss of 6 percent as we saw in the final quarter of the Bush administration. But we've seen five consecutive quarters of growth. We've seen increased employment from the private sector. We have a long way to go, and tax cuts for millionaires and billionaires are not the way to do it.

With that, I yield 3½ minutes to my friend from Texas, Congresswoman JACKSON LEE.

Ms. JACKSON LEE of Texas. Let me thank my good friend from Colorado, and I will agree with you that this underlying bill is not a bill about billionaires and millionaires.

I am delighted to rise now and support H.R. 4783, which has been amended by the Senate. And I will tell you that this bill is not an entitlement. It is a bill that was earned by the sweat and tears and the loss of land and the death of many who stood for the empowerment on the basis of the ownership of land that would generate a legacy for those who happened to be Native Americans and, as well, justice for those who happened to be African Americans.

I'm delighted that we have come to a conclusion on the Cobell settlement and the Pigford settlement—one dealing with the trust lands of Native Americans, and the other dealing with the inequities in the Department of Agriculture dealing with black farmers.

This is the work of the Agriculture Committee, and it's the work of the Judiciary Committee, the Department of Justice, and President Obama's administration.

How many of you have stood alongside of farmers who have had tears in their eyes because the only thing they wanted to do is to till the soil and to produce for the American people? This has happened across America. The

name of Shirley Sherrod, who attempted in her new appointment to make sure that all farmers were included as related to the resources of the Department of Agriculture. How many of you have heard of stories where one farmer would get a small pittance of a loan and another farmer would not just because of the color of their skin, and it would result in a bankruptcy, a loss of land?

America is a place of equality. And so to the Apache Tribe, the Crow Tribe, the Taos Pueblo Tribe dealing with water rights, legitimate issues addressing native lands have now been resolved. This is not a handout. The courts determined that the Native Americans prevailed, and they determined over 2 or 3 years ago that the black farmers prevailed as well. There was an inequity in addressing the question of treatment under the Department of Agriculture.

So who are we as a Nation? We are proud Americans who have been able to produce our own food. That has been one of the elements of our greatness. These farmers simply wanted to do what was right by America, and they were not allowed to do so.

And with respect to Native American lands and the trust of dealing with, specifically, water rights, these were lands owned and designated historically by law, but they were not treated right and we have now addressed that question.

□ 1300

This legislation is paid for. So I support the rule and the underlying bill. But I don't want my colleagues to rise mistakenly to the floor and suggest that we are handing out dollars, that we are not paying for dollars, that we are not being fiscally responsible. We are. And I ask my colleagues to support this.

Justice finally has arrived, and it is time for us to accept the call to justice and provide for those who simply want to provide for the American people in their own way. Thank you for this settlement for black farmers and Native Americans.

Ms. FOXX. Madam Speaker, I yield myself the balance of my time.

I realize that we are here to debate something other than the continuation of the tax cuts and staving off the tax increases which are coming right around the corner. However, it is important that we continue to remind the American people that our colleagues across the aisle continue to refuse to deal with what's the most important issue that we need to be dealing with. Instead, we are here day after day, day after day naming post offices and celebrating anniversaries of sports figures when our colleagues have known that the tax increases were going to occur on January 1, 2011, since that bill was passed. But they have been in control for 4 years, and they have refused to deal with it.

Furthermore, we have a President and a Congress of the same party. They

both know this had to be dealt with, but they seem to want to leave everything until the last possible minute and then blame Republicans because something isn't being done. Well, ladies and gentlemen, that is just not the case. Our colleagues across the aisle, the Democrats, are in control. They could have brought the tax increase bill up any time they wanted to. They refused to do it. They have left it until the last minute. We need to remind the American people of that, and we are not going to be told that we are holding something hostage.

I would also like to point out to my colleague from Colorado that when the stimulus bill was passed, what you call the Recovery Act, we were promised, the American people were promised that unemployment would not go above 8 percent. The Treasury Department recently issued its Final Monthly Treasury Statement for Fiscal Year 2010. This statement indicated the deficit for that fiscal year totaled \$1.294 trillion, or 8.9 percent of GDP. This is only the second time in history that an annual deficit has exceeded \$1 trillion. When was the last time? Last year, when again we had a Democratic President and Democrats in control of the Congress.

Over the past 22 months, President Obama and congressional Democrats have embarked on an unprecedented spending spree that has lowered economic growth, reduced investment, increased the cost of borrowing, and killed American jobs. Now, rather than reducing spending, Democrats hope to move a \$1.11 trillion omnibus discretionary spending bill that would increase expenditures by hundreds of billions of dollars. In doing so, Democrats are ignoring the clear message of the American people and endangering the well-being of future generations.

Since President Obama took office in January 2009, the liberals ruling over Washington have implemented an agenda of record spending and deficits that's unprecedented in this country's history. Since the liberals seized control of the White House and Congress last year, profligate spending has led to \$2.51 trillion in budget deficits. To give a little perspective, the total amount of deficit spending in the first 22 months of President Obama's administration is more than the combined deficits of President Bush 43's administration over 8 years, which were previously the highest deficits of any President in history.

In the 22 months since President Obama moved into the White House, Democrats have spent \$6.1 trillion, which is more than the first 22 months of the administrations of President Clinton and Bush 43 combined.

The Treasury Department reported that in October 2010 alone, the government spent \$24.1 billion to make interest payments on the money it borrowed. In fiscal year 2010, the government has spent \$414 billion on interest payments, an amount equal to 32 percent of our deficit.

Americans made it very clear they want the Washington spending spree to end. Democrats, however, have turned a deaf ear, and still want to pass a disastrous \$1.1 trillion spending bill in the lame duck session of Congress. The growing deficits under the Democrats' leadership will ultimately lead to a lower standard of living and less opportunity for future generations of Americans. As spending by the Federal Government grows to unsustainable levels, the U.S. will sacrifice its sovereignty by becoming dependent on debt borrowed from foreign countries. As the Nation's debt grows, confidence in financial markets will erode and propel the U.S. into a perpetual economic spiral.

Everything from a senseless energy tax, government takeover of health care, bailouts of the auto industry, megabanks, and the European Union, combined with endless tax and spending increases leave the American people sitting in amazement wondering where the imagination of these European wannabes will lead us next.

As the American people have been scared to death witnessing the deterioration of everything from the economy, foreign policy, and national security, they should know that fortunately there is a choice between the same old tired liberal agenda and new, innovative solutions being offered by the GOP.

In September, House Republicans put forward a pledge that will put America on a path toward economic prosperity. The pledge includes actions that will create jobs, end economic uncertainty, and make America more competitive. Specifically, the pledge would permanently stop all job-killing tax hikes; allow small business owners a 20 percent tax deduction against income to allow capital formation and investment, which will stimulate business expansion and new hiring; require congressional approval of costly regulations to reduce the cost burden that government growth imposes on businesses; repeal the ObamaCare 1099 requirement, to eliminate the wasteful and expensive mandate that all businesses report vendor purchases in excess of \$600 annually; immediately cut government spending to pre-bailout levels to save at least \$100 billion in the first year, and put the Federal Government on a path to balance the budget and pay down the debt, moving away from a debt-driven economy, and eliminating the fear that unsustainable spending has created.

The evidence is in, Madam Speaker: The liberal Democrat agenda has failed. They need to go back to the drawing board and come back to the American people with real solutions to their real problems. This isn't the time to dither and blame the Republican minority for the disappointing collapse of governance we have seen since the liberal majority seized control of Congress in 2007.

I urge my colleagues to take this opportunity to force the ruling liberal

Democrats to rethink their misguided proposals by rejecting this rule and the underlying bill to protest the liberal agenda that continues to distract from private sector job creation and getting the economy back on its feet.

With that, Madam Speaker, I yield back the balance of my time.

Mr. PERLMUTTER. Madam Speaker, I guess I have a completely opposite view of my friend from North Carolina as to the importance of this bill. The payment for wrongs against thousands and thousands and thousands of people that were delayed under Republican Congresses, Republican Presidents, it is about time that we settle these cases and pay the bills to people who were either discriminated against or had their trust moneys bungled by the Interior Department.

We actually, through the course of all this, had one Interior Secretary under a Republican President who got herself in trouble. Ultimately, it was all resolved. Now it's time to settle these particular cases. Decades of litigation, decades of settlement talks. It is a red-letter day that the discrimination and the mismanagement that harmed so many people are resolved.

□ 1310

That's the purpose. That's why this has been a bipartisan bill and I hope will be a bipartisan vote later today when we take up the bill.

There are 500,000 Native Americans whose communities were deprived of revenue rightfully and legally owed to them for commercial development of their land. There are thousands of other Native Americans whose communities will benefit by completing long overdue water projects.

There are also 70,000 farmers in the Pigford case who were deprived of their ability to farm because of their race, out and out discrimination. Hundreds of thousands of Americans will receive some help this holiday season because we will extend temporary assistance for needy families.

My Republican friends like to talk about tax cuts for millionaires and billionaires, tax cuts that were supposed to expire, have been planned to expire by a Republican Congress from the beginning of the decade. This isn't something new. This isn't some big surprise. But the Republicans in the House and the Republicans in the Senate would like to hole up and do nothing until their friends, the millionaires and billionaires, continue these tax cuts, and at the same time stop payment and satisfaction of claims that have been long overdue to these hundreds of thousands of Native Americans and thousands and thousands of black farmers, as well as millions of people who need assistance under the Temporary Assistance for Needy Families.

This country pays its bills, doesn't just give tax cuts to the wealthiest Americans among us. That's what this Democratic Congress is about. That's what the Democratic Senate and this

President is about. It is about honoring our commitments and stopping discrimination.

I am pleased we are going to pass this bill today, and I hope that all Members support it and not delay any further these rightful claims that have existed for so long.

With that I urge a "yes" vote on the previous question and on the rule.

Madam Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the yeas appeared to have it.

Ms. FOXX. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 223, nays 168, not voting 42, as follows:

[Roll No. 583]

YEAS—223

Ackerman	Filner	McDermott
Altmire	Foster	McGovern
Andrews	Frank (MA)	McIntyre
Arcuri	Garamendi	McMahon
Baca	Gonzalez	McNerney
Baldwin	Gordon (TN)	Meek (FL)
Barrow	Grayson	Meeks (NY)
Bean	Green, Al	Melancon
Becerra	Green, Gene	Michaud
Berkley	Grijalva	Miller (NC)
Berman	Gutierrez	Miller, George
Bishop (GA)	Hall (NY)	Minnick
Bishop (NY)	Halvorson	Mitchell
Blumenauer	Hare	Mollohan
Boccheri	Harman	Moore (KS)
Boswell	Heinrich	Moore (WI)
Boucher	Herger	Moran (VA)
Boyd	Higgins	Murphy (CT)
Brady (PA)	Hinchee	Murphy, Patrick
Braley (IA)	Hinojosa	Nadler (NY)
Brown, Corrine	Hirono	Napolitano
Butterfield	Hodes	Neal (MA)
Capps	Holden	Nye
Capuano	Holt	Obey
Cardoza	Hoyer	Olver
Carnahan	Inslee	Owens
Carson (IN)	Israel	Pallone
Castor (FL)	Jackson (IL)	Pascarella
Childers	Jackson Lee	Pastor (AZ)
Chu	(TX)	Payne
Clarke	Johnson (GA)	Perlmutter
Clay	Johnson, E. B.	Perriello
Clyburn	Kagen	Peters
Cohen	Kanjorski	Peterson
Connolly (VA)	Kaptur	Pingree (ME)
Cooper	Kennedy	Polis (CO)
Costa	Kildee	Pomeroy
Costello	Kilpatrick (MI)	Price (NC)
Courtney	Kilroy	Quigley
Critz	Kind	Rahall
Crowley	Kirkpatrick (AZ)	Rangel
Cuellar	Kissell	Reyes
Cummings	Klein (FL)	Richardson
Dahlkemper	Kosmas	Rodriguez
Davis (CA)	Kratovil	Ross
Davis (IL)	Kucinich	Rothman (NJ)
Davis (TN)	Larsen (WA)	Roybal-Allard
DeGette	Larson (CT)	Ruppersberger
DeLauro	Levin	Rush
Dicks	Lewis (GA)	Ryan (OH)
Dingell	Lipinski	Salazar
Djou	Loeback	Sánchez, Linda
Doggett	Lofgren, Zoe	T.
Doyle	Lowey	Sanchez, Loretta
Driehaus	Lujan	Sarbanes
Edwards (MD)	Lynch	Schakowsky
Ellison	Maffei	Schauer
Ellsworth	Maloney	Schiff
Engel	Markey (CO)	Schrader
Eshoo	Markey (MA)	Schwartz
Etheridge	Marshall	Scott (GA)
Farr	Matsui	Scott (VA)
Fattah	McCarthy (NY)	Serrano
	McCollum	Sestak

Shea-Porter  
Sherman  
Sires  
Skeltton  
Slaughter  
Smith (WA)  
Snyder  
Space  
Speier  
Spratt  
Stark  
Stupak

Sutton  
Tanner  
Teague  
Thompson (CA)  
Thompson (MS)  
Tierney  
Titus  
Tonko  
Towns  
Van Hollen  
Velazquez  
Visclosky

Walz  
Wasserman  
Schultz  
Waters  
Watson  
Watt  
Weiner  
Welch  
Wilson (OH)  
Yarmuth

NAYS—168

Aderholt	Frelinghuysen	Miller (MI)
Adler (NJ)	Gallely	Miller, Gary
Akin	Garrett (NJ)	Murphy (NY)
Alexander	Gerlach	Murphy, Tim
Austria	Gingrey (GA)	Neugebauer
Bachmann	Gohmert	Nunes
Bachus	Goodlatte	Olson
Bartlett	Granger	Paul
Barton (TX)	Graves (GA)	Paulsen
Berry	Graves (MO)	Pence
Biggert	Griffith	Petri
Billbray	Guthrie	Pitts
Bilirakis	Hall (TX)	Platts
Blackburn	Harper	Poe (TX)
Blunt	Hastings (WA)	Posey
Boehner	Heller	Price (GA)
Bonner	Hensarling	Reed
Bono Mack	Herseht Sandlin	Rehberg
Boozman	Hoekstra	Reichert
Boren	Hunter	Roe (TN)
Boustany	Issa	Rogers (AL)
Brady (TX)	Jenkins	Rogers (KY)
Bright	Johnson (IL)	Rogers (MI)
Brown (GA)	Johnson, Sam	Rohrabacher
Brown (SC)	Jones	Rooney
Buchanan	Jordan (OH)	Roskam
Burgess	King (IA)	Royce
Calvert	King (NY)	Ryan (WI)
Camp	Kingston	Scalise
Campbell	Kline (MN)	Schmidt
Cantor	Lamborn	Schock
Cao	Lance	Sensenbrenner
Capito	Latham	Sessions
Carter	LaTourette	Shimkus
Cassidy	Latta	Shuler
Castle	Lee (NY)	Shuster
Chaffetz	Lewis (CA)	Simpson
Coble	Linder	Smith (NE)
Coffman (CO)	LoBiondo	Smith (NJ)
Cole	Lucas	Smith (TX)
Conaway	Luetkemeyer	Stearns
Crenshaw	Lummis	Stutzman
Culberson	Lungren, Daniel	Sullivan
Davis (KY)	E.	Terry
Dent	Mack	Thompson (PA)
Diaz-Balart, L.	Manzullo	Thornberry
Donnelly (IN)	Matheson	Tiberi
Dreier	McCarthy (CA)	Turner
Duncan	McCaul	Upton
Ehlers	McClintock	Walden
Emerson	McCotter	Westmoreland
Flake	McHenry	Whitfield
Fleming	McKeon	Wilson (SC)
Forbes	McMorris	Wolf
Fortenberry	Rodgers	Young (AK)
Fox	Mica	Young (FL)
Franks (AZ)	Miller (FL)	

NOT VOTING—42

Baird	Edwards (TX)	Ortiz
Barrett (SC)	Fallin	Putnam
Bishop (UT)	Fudge	Radanovich
Brown-Waite,	Giffords	Ros-Lehtinen
Ginny	Hastings (FL)	Shadegg
Burton (IN)	Hill	Taylor
Buyer	Himes	Tiahrt
Carney	Honda	Tsongas
Chandler	Inglis	Wamp
Cleaver	Langevin	Waxman
Conyers	Lee (CA)	Wittman
Davis (AL)	Marchant	Woolsey
DeFazio	Moran (KS)	Wu
Deutch	Myrick	
Diaz-Balart, M.	Oberstar	

□ 1343

Messrs. RYAN of Wisconsin, SMITH of Texas, BERRY, and KING of Iowa changed their vote from "yea" to "nay."

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Ms. GIFFORDS. Madam Speaker, on November 30, 2010, I missed a vote on the rule providing for consideration of H.R. 4783, the Claims Resolution Act of 2010. Had I been present, I would have voted "yea" on this measure.

Mr. GONZALEZ. Mr. Speaker, a meeting at the Department of Commerce prevented my presence in the House for a vote earlier today. Had I been present, I would have voted "yea" on the motion to concur in the Senate Amendments to the Claims Resolution Act of 2010 (H.R. 4783).

Ms. WOOLSEY. Madam Speaker, on November 30, 2010, I was unavoidably detained and was unable to record my vote for rollcall No. 583. Had I been present I would have voted: Rollcall No. 583: "yes"—Providing for consideration of the Senate amendments to the bill (H.R. 4783) to accelerate the income tax benefits for charitable cash contributions for the relief of victims of the earthquake in Chile, and to extend the period from which such contributions for the relief of victims of the earthquake in Haiti may be accelerated.

#### CLAIMS RESOLUTION ACT OF 2010

Mr. RAHALL. Madam Speaker, pursuant to House Resolution 1736, I move to take from the Speaker's table the bill (H.R. 4783) to accelerate the income tax benefits for charitable cash contributions for the relief of victims of the earthquake in Chile, and to extend the period from which such contributions for the relief of victims of the earthquake in Haiti may be accelerated, with the Senate amendments thereto, and I have a motion at the desk.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The Clerk will designate the Senate amendments.

The text of the Senate amendments is as follows:

Senate amendments:

Strike all after the enacting clause and insert the following:

#### SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "Claims Resolution Act of 2010".

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

Sec. 1. Short title; table of contents.

#### TITLE I—INDIVIDUAL INDIAN MONEY ACCOUNT LITIGATION SETTLEMENT

Sec. 101. Individual Indian Money Account Litigation Settlement.

#### TITLE II—FINAL SETTLEMENT OF CLAIMS FROM IN RE BLACK FARMERS DISCRIMINATION LITIGATION

Sec. 201. Appropriation of funds for final settlement of claims from In re Black Farmers Discrimination Litigation.

#### TITLE III—WHITE MOUNTAIN APACHE TRIBE WATER RIGHTS QUANTIFICATION

Sec. 301. Short title.  
Sec. 302. Purposes.  
Sec. 303. Definitions.  
Sec. 304. Approval of Agreement.  
Sec. 305. Water rights.  
Sec. 306. Contract.  
Sec. 307. Authorization of WMAT rural water system.

Sec. 308. Satisfaction of claims.

Sec. 309. Waivers and releases of claims.

Sec. 310. White Mountain Apache Tribe Water Rights Settlement Sub-account.

Sec. 311. Miscellaneous provisions.

Sec. 312. Funding.

Sec. 313. Antideficiency.

Sec. 314. Compliance with environmental laws.

#### TITLE IV—CROW TRIBE WATER RIGHTS SETTLEMENT

Sec. 401. Short title.

Sec. 402. Purposes.

Sec. 403. Definitions.

Sec. 404. Ratification of Compact.

Sec. 405. Rehabilitation and improvement of Crow Irrigation Project.

Sec. 406. Design and construction of MR&I System.

Sec. 407. Tribal water rights.

Sec. 408. Storage allocation from Bighorn Lake.

Sec. 409. Satisfaction of claims.

Sec. 410. Waivers and releases of claims.

Sec. 411. Crow Settlement Fund.

Sec. 412. Yellowtail Dam, Montana.

Sec. 413. Miscellaneous provisions.

Sec. 414. Funding.

Sec. 415. Repeal on failure to meet enforceability date.

Sec. 416. Antideficiency.

#### TITLE V—TAOS PUEBLO INDIAN WATER RIGHTS

Sec. 501. Short title.

Sec. 502. Purposes.

Sec. 503. Definitions.

Sec. 504. Pueblo rights.

Sec. 505. Taos Pueblo Water Development Fund.

Sec. 506. Marketing.

Sec. 507. Mutual-Benefit Projects.

Sec. 508. San Juan-Chama Project contracts.

Sec. 509. Authorizations, ratifications, confirmations, and conditions precedent.

Sec. 510. Waivers and releases of claims.

Sec. 511. Interpretation and enforcement.

Sec. 512. Disclaimer.

Sec. 513. Antideficiency.

#### TITLE VI—AAMODT LITIGATION SETTLEMENT

Sec. 601. Short title.

Sec. 602. Definitions.

#### Subtitle A—Pojoaque Basin Regional Water System

Sec. 611. Authorization of Regional Water System.

Sec. 612. Operating Agreement.

Sec. 613. Acquisition of Pueblo water supply for Regional Water System.

Sec. 614. Delivery and allocation of Regional Water System capacity and water.

Sec. 615. Aamodt Settlement Pueblos' Fund.

Sec. 616. Environmental compliance.

Sec. 617. Funding.

#### Subtitle B—Pojoaque Basin Indian Water Rights Settlement

Sec. 621. Settlement Agreement and contract approval.

Sec. 622. Environmental compliance.

Sec. 623. Conditions precedent and enforcement date.

Sec. 624. Waivers and releases of claims.

Sec. 625. Effect.

Sec. 626. Antideficiency.

#### TITLE VII—RECLAMATION WATER SETTLEMENTS FUND

Sec. 701. Mandatory appropriation.

#### TITLE VIII—GENERAL PROVISIONS

#### Subtitle A—Unemployment Compensation Program Integrity

Sec. 801. Collection of past-due, legally enforceable State debts.

Sec. 802. Reporting of first day of earnings to directory of new hires.

#### Subtitle B—TANF

Sec. 811. Extension of the Temporary Assistance for Needy Families program.

Sec. 812. Modifications to TANF data reporting.

#### Subtitle C—Customs User Fees; Continued Dumping and Subsidy Offset

Sec. 821. Customs user fees.

Sec. 822. Limitation on distributions relating to repeal of continued dumping and subsidy offset.

#### Subtitle D—Emergency Fund for Indian Safety and Health

Sec. 831. Emergency Fund for Indian Safety and Health.

#### Subtitle E—Rescission of Funds From WIC Program

Sec. 841. Rescission of funds from WIC program.

#### Subtitle F—Budgetary Effects

Sec. 851. Budgetary effects.

#### TITLE I—INDIVIDUAL INDIAN MONEY ACCOUNT LITIGATION SETTLEMENT

#### SEC. 101. INDIVIDUAL INDIAN MONEY ACCOUNT LITIGATION SETTLEMENT.

(a) DEFINITIONS.—In this section:

(1) AGREEMENT ON ATTORNEYS' FEES, EXPENSES, AND COSTS.—The term "Agreement on Attorneys' Fees, Expenses, and Costs" means the agreement dated December 7, 2009, between Class Counsel (as defined in the Settlement) and the Defendants (as defined in the Settlement) relating to attorneys' fees, expenses, and costs incurred by Class Counsel in connection with the Litigation and implementation of the Settlement, as modified by the parties to the Litigation.

(2) AMENDED COMPLAINT.—The term "Amended Complaint" means the Amended Complaint attached to the Settlement.

(3) FINAL APPROVAL.—The term "final approval" has the meaning given the term in the Settlement.

(4) LAND CONSOLIDATION PROGRAM.—The term "Land Consolidation Program" means a program conducted in accordance with the Settlement, the Indian Land Consolidation Act (25 U.S.C. 2201 et seq.), and subsection (e)(2) under which the Secretary may purchase fractional interests in trust or restricted land.

(5) LITIGATION.—The term "Litigation" means the case entitled *Elouise Cobell et al. v. Ken Salazar et al.*, United States District Court, District of Columbia, Civil Action No. 96-1285 (TFH).

(6) PLAINTIFF.—The term "Plaintiff" means a member of any class certified in the Litigation.

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

(8) SETTLEMENT.—The term "Settlement" means the Class Action Settlement Agreement dated December 7, 2009, in the Litigation, as modified by the parties to the Litigation.

(9) TRUST ADMINISTRATION ADJUSTMENT FUND.—The term "Trust Administration Adjustment Fund" means the \$100,000,000 deposited in the Settlement Account (as defined in the Settlement) pursuant to subsection (j)(1) for use in making the adjustments authorized by that subsection.

(10) TRUST ADMINISTRATION CLASS.—The term "Trust Administration Class" means the Trust Administration Class as defined in the Settlement.

(b) PURPOSE.—The purpose of this section is to authorize the Settlement.

(c) AUTHORIZATION.—

(1) IN GENERAL.—The Settlement is authorized, ratified, and confirmed.