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No. 49

## House of Representatives

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mrs. ELLMERS).

### DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,  
April 6, 2011.

I hereby appoint the Honorable RENEE ELLMERS to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,  
Speaker of the House of Representatives.

### MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 5, 2011, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes each, but in no event shall debate continue beyond 11:50 a.m.

### RECOGNIZING FIFTH ANNIVERSARY OF JOSHUA'S HEART FOUNDATION

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Florida (Ms. ROS-LEHTINEN) for 5 minutes.

Ms. ROS-LEHTINEN. Madam Speaker, I rise today to recognize an extraordinary young man from my congressional district, Mr. Joshua Williams, on the fifth anniversary of his outstanding organization called Joshua's Heart Foundation.

At the age of 5, while watching "Feed the Children" one evening, a question

arose in Joshua's head: What else can I do to help? In the weeks following, Joshua would create the basis to what has now become a great charity in our community.

Today, Joshua's Heart Foundation has grown from feeding a handful of families to over 1,000 throughout south Florida in just a few years. Later this month, Madam Speaker, on April 30, from 12 to 4 p.m. at Palm Island Park in Miami Beach, in my congressional district, Joshua's Heart Foundation will be holding a celebration of its 5-year anniversary, and, yes, they will be feeding the hungry.

I encourage all in south Florida to join Joshua at this amazing event and again congratulate him on his many years of service to our community, even at such a young age.

### RAPE IN THE MILITARY

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from California (Ms. SPEIER) for 5 minutes.

Ms. SPEIER. Madam Speaker, I rise today to speak about an abomination, and I vow to speak about it every week until this Congress and this administration does something more than offer lip service.

Read my lips: The military must end rape in this country, and those who commit such crimes must be brought to justice. The fact that women in the military are being raped and our government is turning a blind eye is disturbing enough. Even worse, it is not our enemies abroad who are committing these horrific crimes. It's American soldiers abusing many of our own, often with nothing more than a slap on the wrist and sometimes with an unbelievable promotion.

We have a military culture that condones, and in some cases rewards, this type of abusive and violent behavior against female soldiers, who are now more likely to be raped by fellow sol-

diers than killed by enemy fire. This is a national disgrace, and the longer it goes unaddressed, Congress becomes an accomplice in these crimes.

You know, we in Congress do something really well—we hold hearings, and then we do nothing. Congress has held 18 hearings in the last 16 years on this issue, and nothing has changed. The Department of Defense estimates that over 19,000 servicemembers were raped or sexually assaulted in 2010; but due to fear of retribution and a failure to prosecute these crimes, only 13.5 percent are reported. These are Department of Defense figures: 19,000 soldiers raped in the military every year.

So beginning today, I am going to tell these women's stories on the House floor, and I'm going to keep telling them and keep telling them until something is done about it.

Earlier this year, 17 servicemembers, 15 of them women, filed a lawsuit against the Federal Government accusing the Pentagon of ignoring their own cases of sexual assault. Today, I want to tell you about one of those, Technical Sergeant Mary Gallagher. She deployed to Iraq in 2009 as a member of the Air National Guard. Her allegations are as follows. Now I'm warning you, some of the language is graphic.

On November 5, 2009, while she was deployed in Iraq, a coworker offered her a ride home to her living quarters. When she accepted, instead of driving her home, he drove her to a remote area and tried to kiss her. Technical Sergeant Gallagher threatened to report him. He became angry and verbally assaulted her. She reported the incident to command, but they claimed that they could do nothing about it.

On November 7, the coworker began to stalk Technical Sergeant Gallagher. He tried to break into her room, claiming she didn't know what she was missing. He telephoned her repeatedly. She again reported her coworker's threatening behavior to command but was

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



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advised that they could do nothing because it was a "he said, she said" situation.

Five days later, on November 12, the coworker sexually assaulted her in the restroom. He pushed her up against the left side of the wall, took his right hand and pulled her pants and underwear down and then used his hand to rub her vagina. He simultaneously ground his penis against her and talked about how much he was enjoying the assault.

Technical Sergeant Gallagher described the incident this way to NBC: "I thought he was going to kill me that night. I felt completely isolated and alone and really scared. Here I was in the middle of a foreign country in the middle of a war."

Sergeant Gallagher did not report the violent assault immediately because command had advised her that nothing could be done after she had reported the coworker's threatening behavior before. Two weeks later, when she was asked for more details of the events on November 5 and 7, at that point she reported the violent assault. Command's only response was to reassign the assailant and order him to refrain from any contact with her. She was then lectured by the base chaplain, who claimed that 96 percent of sexual assaults on women occur when drinking is involved. Technical Sergeant Gallagher had not been drinking during any of the assaults.

This is a harrowing story, and it's one of 19,000 that must be heard. Technical Sergeant Gallagher fought for us. It's now time for us to fight for her.

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#### VOTE "NO" ON THE "DIRTY AIR ACT"

The SPEAKER pro tempore. The Chair recognizes the gentleman from New Mexico (Mr. HEINRICH) for 5 minutes.

Mr. HEINRICH. Madam Speaker, 14 weeks have gone by and the Republican majority has still not offered a single jobs package. Instead, we continue to see radical attacks on everything from Medicare to vital clean air protections.

The dirty air act that we're considering today destroys the EPA's ability to limit air pollution under the Clean Air Act, an unprecedented move that ignores scientific consensus and public health. Instead of creating jobs, the Republicans are asking us to pass legislation that would put our Nation's health and safety at risk.

This radical bill also halts a measure that would save American families thousands of dollars a year in fuel costs and make America more energy independent. We must make our policy decisions based on science, not on politics.

I would urge my colleagues to vote against this dirty air act today.

□ 1010

#### SUPPORT THE BATFE REFORM ACT

The SPEAKER pro tempore. The Chair recognizes the gentleman from Pennsylvania (Mr. ALTMIRE) for 5 minutes.

Mr. ALTMIRE. Madam Speaker, I rise today to ask my colleagues to support a legislative effort to modernize the Bureau of Alcohol, Tobacco, Firearms, and Explosives. I have joined with Congressman STEVE KING to introduce the BATFE Reform Act, which will safeguard American citizens' Second Amendment rights by bringing commonsense reform to the BATFE so that it can do a better job of punishing lawbreakers and keeping guns out of the hands of criminals, without placing undue restrictions on local businesses in this difficult economy.

Our proposed legislation would make sure that federally licensed firearms dealers are not subject to poorly formulated and unnecessary regulations by updating the rules and potential penalties governing individuals and businesses that hold a Federal firearms license so they are clear and fair.

Our goal is to create a fair system under which firearms dealers with minor paperwork errors are no longer threatened with the loss of their livelihoods. Defining a willful violation is an important step in clarifying the way Federal firearms license holders are punished by the BATFE. Currently, the Bureau is limited in most cases to either giving a warning or totally revoking a license, no matter how minor or severe the violation. That's the current law. But I believe that these small business owners and law-abiding citizens should not be so harshly punished for small or even insignificant book-keeping errors.

Our legislation would create a new system of penalties for Federal firearms license holders who commit minor violations, and prevent the Bureau from revoking Federal firearms licenses for minor technical violations such as improperly using abbreviations or filing records in the wrong order. Revocation of a license could still be an option for the BATFE to punish willful violation of the law, but it would not be the only option.

The BATFE Reform Act would also make commonsense reforms to help small businesses that sell firearms. For example, it would provide a Federal firearms license holder with the time to liquidate their inventory if they are going out of business. It would also allow a grace period for people taking over an existing firearms business in which they can correct preexisting record-keeping violations from the previous owner and make necessary updates to the license application procedures.

Our bill would permanently ban the creation of a centralized electronic index of dealers' records to protect gun owners' privacy and ensure that law-

abiding gun owners will not unknowingly end up in a Federal gun registration database. Congress has included this language in its annual appropriations bills banning the creation of an index for more than a decade. This time we want to give it the weight of law so we can give gun owners certainty and make this policy part of the existing law.

The NRA has endorsed this legislation, and I would ask my fellow Representatives to show their support for the Second Amendment and small businesses nationwide by cosponsoring the BATFE Reform Act.

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#### REMEMBERING APRIL 10 IN POLISH HISTORY

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Ohio (Ms. KAPTUR) for 5 minutes.

Ms. KAPTUR. Madam Speaker, I rise to honor the memory today of the victims of the April 10, 2010, plane crash in Smolensk, Russia, that 1 year ago killed much of the Nation of Poland's national leadership. Last year, the House and Senate overwhelmingly passed resolutions to express America's unwavering support for the people and Government of Poland, and to offer our heartfelt sympathies for the families and loved ones of those who perished.

April 10 has long been a day of memory for the Polish people and those of Polish descent, because on that day 71 years ago the Soviets carried out a horrific act against the Polish people. I am talking about the Katyn Forest massacre. Last year, Polish President Lech Kaczynski was leading a Polish delegation to Russia for the 70th commemoration of that massacre. This was to be an historic event because it was also to be the first time that a Russian leader was to attend the commemoration.

The truth of the Katyn Forest massacre was hidden and lied about for decades. And today, the entire world knows that in 1940 the Soviet secret police were ordered by Joseph Stalin to systematically round up and murder all of Poland's officers, intellectuals, national leaders, teachers, university presidents. As many as 22,000 people were killed in that heinous crime.

For decades, the Soviets tried to cover up their guilt by blaming this atrocity on the Nazis. There is plenty of blame for them too, but the truth of Katyn was never told.

I am proud that this country and this House have long demanded that the truth about the Katyn massacre be exposed. In 1951, it was this House of Representatives that established a select committee to conduct and investigate the facts, evidence, and circumstances of the Katyn Forest massacre. One year later, the committee unanimously concluded that the Soviets had been responsible. Unconscionably, the Soviets continued to deny their actions until President Mikhail Gorbachev made a statement on April 13, 1990.