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No. 59

House of Representatives

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

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
May 4, 2011.

I hereby appoint the Honorable MIKE FITZPATRICK 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.

DEVELOPING A SENSIBLE, NON-INTERVENTIONIST FOREIGN POLICY

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

Mr. PAUL. Mr. Speaker, Osama bin Laden applauded the 9/11 attacks. Such an act of deliberate killing of innocent lives deserves retribution. It is good that bin Laden is dead and justice is served. Targeted retribution is far superior to wars of aggression and nation-building.

In 2001, I supported giving the President authority to punish those respon-

sible for the vicious 9/11 attacks. Using this authority and opportunity to pursue nation-building and remaking the Middle East was cynical and dangerous, as the past 10 years have proven. The sad tragedy is that it took 10 years, trillions of dollars, tens of thousands of American casualties and many thousands of innocent lives to achieve our mission of killing one evil person.

A narrow, targeted mission under these circumstances is far superior to initiating wars against countries not involved in the 9/11 attacks. This was the reason I emphasized at the time the principles of marque and reprisal, provided to us by the Constitution for difficult missions such as we faced. I am convinced that this approach would have achieved our goal much sooner and much cheaper.

The elimination of Osama bin Laden should now prompt us to bring our troops home from Afghanistan and Iraq. Al Qaeda was never in Iraq, and we were supposedly in Afghanistan to get Osama bin Laden. With bin Laden gone, there is no reason for our presence in this region, unless indeed it was all about oil, nation-building and remaking the Middle East and Central Asia.

Hopefully, bin Laden does not get the last laugh. He claimed the 9/11 attacks were designed to, number one, get America to spread its military dangerously and excessively throughout the Middle East; two, to cause political dissension within the United States. Seventy percent of the American people now believe we should leave Afghanistan, yet both parties seem destined to stay; and number three, to bankrupt America through excessive military spending, as he did to the Soviets. The best thing we can do is prove bin Laden to be a false prophet.

We must learn from this recent history. Tragically, one result may be the acceptance of torture as a legitimate tool for pursuing our foreign policy. A

free society calling itself a republic should never succumb to such evil.

With regard to foreign aid to Pakistan, the fact that bin Laden was safely protected for 10 years in Pakistan should make us question the wisdom of robbing American citizens to support any government around the world with foreign aid. Our failed foreign policy is reflected in our bizarre relationship with Pakistan. We bomb them with our drones, causing civilian casualties, we give them billions of dollars in foreign aid, and she protects America's enemy number one, bin Laden, for a decade.

It is time to consider a sensible, non-interventionist foreign policy as advised by our founders and authorized by our Constitution. We would all be better off for it.

PROPOSED PUERTO RICAN PIPELINE A THREAT TO MOUNTAINS AND RAINFORESTS

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

Mr. GUTIERREZ. Mr. Speaker, last weekend I had the honor of participating in a remarkable event in the mountain town of Adjuntas, Puerto Rico. There, thousands braved a torrential downpour to demonstrate against a proposed natural gas pipeline that the current ruling party in Puerto Rico is threatening to build across the mountains and rainforests of the island.

While I was there, I met with Rosanna Lopez Leon, the Commonwealth of Puerto Rico's Ombudsman for the Elderly. As ombudswoman, she has unusual latitude for a public servant in the current government to speak the truth about what she hears and sees from senior citizens across the island. Her term is 14 years, longer than that of the Governor's, and the money to her office comes mainly from the Federal Government, from the Older

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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Americans Act, so that she is incorruptible, unassailable, and, thank God, untouchable.

She presented me with a series of letters she wrote to Attorney General Eric Holder and to other Federal agencies and Puerto Rican officials. They are based on sworn affidavits from senior citizens residing in four towns in the path of the proposed pipeline in Puerto Rico, describing how local seniors are being pressured and intimidated into signing over their property for the pipeline's supposed unapproved right-of-way.

Mrs. Lopez Leon believes that "repetitive violations of the Older Americans Act have become a danger to the lives, health, rights, and property of the elderly population of Puerto Rico."

She describes illegal trespassing into properties of the elderly under the false pretext of measuring a nonexistent right-of-way, illegal trespassing into the homes of the elderly with the fraudulent pretense to generate a written authorization from the elderly to allow and permit a consented purchase of the property to the Commonwealth of Puerto Rico and the energy company well below market value of the property without granting the elderly the opportunity to seek counsel, a recent appraisal, or to contest the eminent domain procedure which they are threatened with if they do not grant "a voluntary consent to sell their properties."

These 41 affidavits are from four towns on the route of the proposed gasoline; Adjuntas, Penuelas, Utuado and Toa Baja. I would like to first talk about one of them, because I will read some short translations from some chilling stories that we have gathered here.

The first one is from Antonia Santiago Cabrera, 69, from Adjuntas, Puerto Rico, who is in this picture. By the way, she was born in this home 69 years ago.

She says, "The helicopters of the energy company constantly fly over my residence and they do so at a low altitude, disturbing my tranquility. Since my home is built of tin and wood," as you see in the picture, "when the helicopters hover, my entire house trembles. That has generated much anxiety in me, and for this reason I had to visit my primary doctor and have had to take medication for my nerves and my heart condition has even worsened."

Then there is Lucrecia Maldonado Rentas. She is 82 years old and is pictured in front of her house with her sister Gloria. She says, "The letters I received were written to pretend to be a study to be conducted on the needs of the population and it ended up being one about natural gas, the pipeline and the expropriation process of the Barrio Portugues community in Adjuntas, Puerto Rico. In them the process of expropriation is presented, but it is not explained. I do not understand it."

Then there is Mr. Luis Guzman. We don't have a picture of the 67-year-old

farmer. Although he has been harassed since last year, Mr. Guzman does not know how to read and can barely write.

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He does not need to fully be educated, however, to know the difference between right and wrong. If only choosing between right and wrong would come that easy to the ruling party of Puerto Rico.

I want to make it clear to you, Mr. Speaker, and to this body and to Attorney General Eric Holder that these are not powerful men and women. They are not legal scholars or real estate experts. But they have made simple pleas to the court and their complaints should be heard. They are worried that they will lose their homes and they will lose their crops which sustain them because of the laws and legal maneuvers they do not understand. They are U.S. citizens and need our help.

I plan to post all of the affidavits I have already received, along with hundreds of pages I have received from Federal agencies under the Freedom of Information Act, on my Web site. The more light that is shined on this project, Mr. Speaker, the more it reflects back a dark story of secrets, strong-arming, and shortcuts. I plan to continue shining my light and making as much information public as possible so that the voice of the people of Puerto Rico is heard.

Mr. Speaker, I will place in the RECORD the affidavits presented in court in Puerto Rico from 18 senior citizens in Toa Baja, 10 senior citizens in Adjuntas, 4 senior citizens in Penuelas, and 9 senior citizens in Utuado, along with the correspondence from the Puerto Rico Office of the Ombudsman, an office funded by the Federal Government, an official 14-year standing agency of the Government of Puerto Rico.

The forty-one sworn affidavits in Spanish and other documents in English and Spanish related to the Gasoducto pipeline project are posted on Rep. GUTIERREZ' website: [http://www.gutierrez.house.gov/index.php?option=com_content &view=article&id=662&Itemid=73](http://www.gutierrez.house.gov/index.php?option=com_content&view=article&id=662&Itemid=73).

COMMONWEALTH OF PUERTO RICO,
PUERTO RICO OFFICE OF THE OMBUDSMAN FOR THE ELDERLY,

San Juan, Puerto Rico, April 25, 2011.

Re: Complaint by the Puerto Rico Office of the Ombudsman for the Elderly Against The Commonwealth of Puerto Rico and The Puerto Rico Energy Power Authority.

Hon. ERIC HOLDER,

U.S. Department of Justice, Civil Rights Division, Office of the Assistant Attorney General, Main, Washington, DC.

DEAR SIR: The Puerto Rico Office of the Ombudsman for the Elderly (hereinafter OPPEA) represented by the undersigned, Hon. Rossana López León, is the "state unit on aging of Puerto Rico" in charge of enacting the Older Americans Act by virtue of the provisions of Act No. 203 of August 7, 2004, as well as by the "Bill of Rights for Aged Persons in Puerto Rico," Act No. 121 of July 12, 1986, as amended.

OPPEA, upon attending to the needs of this specific population, acts as an enabling agent in the search for a better quality of life for these residents, who on occasion are deprived of their civil and human rights as members of our society for which it receives substantial federal funds. As a matter of fact, OPPEA receives 90% of its budget from federal sources.

The creation of this office serves the purpose of reaffirming the importance of the elderly citizens in our country, guaranteeing their full enjoyment of the rights and prerogatives which they are entitled to.

ORGANIZATION

OPPEA was created through local public Law Number 203, dated August 7, 2004, as a governmental organism responsible for establishing public policy, planning and coordinating with other public agencies the design and development of projects and programs in order to attend basic needs of the elderly population, establishing the rights of the elderly people, in order to help them attain an enjoyable and productive life and their maximum possible participation in community affairs. All funds, equipment personnel and other assets and liabilities previously managed by OGAVE (Governor's Office for Elderly Affairs) were transferred to OPPEA as a result of the above law.

OPPEA is the local organism responsible for planning and coordinating all matters related to federal awards received from federal laws for the purpose of attending the problems of the elderly population.

OPPEA is also the agency designated to administer and implement the federal programs of federal public Law 89-73 dated July 14, 1965, as amended, known as "Older Americans Act." It can also be designated by the Governor of Puerto Rico as the local agency in charge of any other federal awards destined for elderly programs.

Local public Law Number 203 permits OPPEA to design programs in order to provide possible work opportunities and training and re-training to elderly citizens. Also, it offers alternatives in order for elderly people to join actively in the community and, for those able to, to provide consultative or professional services to the community.

OPPEA operates under an Ombudsman named by the Governor of Puerto Rico, with the consent and advice of the Senate of Puerto Rico for a fixed term of 14 years with the responsibility of organizing and directing the functions of the Office. The current Ombudsman is appearing Plaintiff, Hon. Rossana López León whose term expires on 2014.

Other functions and duties of OPPEA are:

a. Encourage participation of citizens in the development and implementation of programs and projects for the elderly people;

b. Provide technical advice and guidelines to other public agencies and/or private institutions who request them in order for them to improve the services they render to elderly citizens;

c. Organize and prepare conferences and seminars, and perform studies and investigations, by themselves or in coordination with other public agencies or private entities, in order to develop new approaches and methods, and the development of the necessary personnel to provide services to the elderly population;

d. Compile, accumulate and analyze all statistical data necessary for the planning, coordination and the development of a public policy related to elderly affairs, that responds to the needs of the particular moment;

e. Educate the community regarding the elderly affairs in order to create a positive attitude towards the elderly population;

f. Provide information to elderly people regarding the services, benefits, programs and

activities that public agencies and private entities offer; and

g. Recommend to the Governor of Puerto Rico and the Legislative Assembly those procedures they believe necessary in order to attend the problems and necessities of the elderly community.

h. Attend to grievances brought by elderly citizens, including the imposition of fines and the compensation for damages.

Now, The Commonwealth of Puerto Rico (hereinafter ELA) in cohort with the Puerto Rico Energy Power Agency (hereinafter PREPA) have placed into action a project, The Via Verde Pipeline, which is a planned natural gas network to supply energy from north to south in Puerto Rico, a project of Governor Luis Fortuño.

The pipeline will distribute natural gas from the Peñuelas/Guayanilla area north to the Arecibo Cambalache Plant on to Palo Seco/San Juan.

“Via Verde” will negatively impact forest areas, hydrographic basins, lands fit for agriculture, and the all-important and endangered karstic region of northern Puerto Rico. It will also represent further dependence on another form of fossil fuel that, while less polluting than the current oil based system of electricity generation, will still contribute to global warming.

Furthermore, more than 200 elderly individuals, under the protection of the Older Americans Act are being affected and their rights under that federal statute and the Constitution being breached and violated by Commonwealth and PREPA.

These repetitive violations have become a danger to the lives, health, rights and property of the elderly population of the sector being impacted by the Via Verde project by way of illegal trespassing into the properties of the elderly under the false pretext of measuring a non existing right of way, illegal trespassing into the homes of the elderly with fraudulent pretenses to generate a written authorization from the elderly to allow and permit a consented purchase of their property to the Commonwealth and PREPA well below market value of the property, without granting the elderly the opportunity to seek counsel, a recent appraisal of their property or to contest the eminent domain procedure which they are threatened with if they do not grant a “voluntary” consent to sell their properties.

Furthermore, the elderly population is being targeted with a psychological “warfare” tactic through constant “buzzing” of low flying Commonwealth and Understanding that these actions and policies are an open violation of the Civil Rights Act, the Americans with Disabilities Act and the Age Discrimination in Employment Act, among others, we request a formal criminal and civil investigation from your Department.

After the investigation we are confident that your Department will have reasonable cause to believe that any person or group of persons is engaged in a pattern or practice of resistance to the full enjoyment of any of the rights secured by the law, and that the pattern or practice is of such a nature and is intended to deny the full exercise of the rights of our client and of many others numbering in the thousands.

If you have any doubts or questions, please do not hesitate to contact us at (787) 721-6121.

Cordially,

ROSSANA LÓPEZ LEÓN, MSG,
Ombudsman for the Elderly.

COMMONWEALTH OF PUERTO RICO,
PUERTO RICO OFFICE OF THE OMBUDSMAN FOR THE ELDERLY,

San Juan, Puerto Rico, April 25, 2011.

Re: Complaint by The Puerto Rico Office Of The Ombudsman For The Elderly Against The Commonwealth of Puerto Rico and The Puerto Rico Energy Power Authority.

Hon. YESMIN M. VALDIVIESO,
Oficina del Contralor de Puerto Rico, Estado Libre Asociado De Puerto Rico, San Juan, PR.

DEAR SIR: The Puerto Rico Office Of The Ombudsman For The Elderly (herein after OPPEA) represented by the undersigned, Hon. Rossana López León, is the “state unit on aging of Puerto Rico” in charge of enacting the Older Americans Act by virtue of the provisions of Act No. 203 of August 7, 2004, as well as by the “Bill of Rights for Aged Persons in Puerto Rico”, Act No. 121 of July 12, 1986, as amended.

OPPEA, upon attending to the needs of this specific population, acts as an enabling agent in the search for a better quality of life for these residents, who on occasion are deprived of their civil and human rights as members of our society for which it receives substantial federal funds. As a matter of fact, OPPEA receives 90% of its budget from federal sources.

The creation of this office serves the purpose of reaffirming the importance of the elderly citizens in our country, guaranteeing their full enjoyment of the rights and prerogatives which they are entitled to.

OPPEA is also the agency designated to administer and implement the federal programs of federal public Law 89-73 dated July 14, 1965, as amended, known as “Older Americans Act”. It can also be designated by the Governor of Puerto Rico as the local agency in charge of any other federal awards destined for elderly programs.

Now, The Commonwealth of Puerto Rico (herein after Commonwealth) in cohort with the Puerto Rico Energy Power Agency (herein after PREPA) have placed into action a project called The Via Verde Pipeline which is a planned natural gas network to supply energy from north to south in Puerto Rico a project of Governor Luis Fortuño.

The pipeline will distribute natural gas from the Peñuelas/Guayanilla area north to the Arecibo Cambalache Plant on to Palo Seco/San Juan.

“Via Verde” will negatively impact forest areas, hydrographic basins, lands fit for agriculture, and the all-important and endangered karstic region of northern Puerto Rico.

Moreover, it should be public notice that the Government of Puerto Rico has not only already spent millions of dollars from state public coffers but also from federal sources like ARRA and has reauthorized multi-million dollar contracts for the purchase of land, materials (gas pipeline) and the construction of the gas pipeline itself, without the appropriate permits from the U.S. Corps of Engineers, U.S. Wildlife and Fisheries and other relevant federal agencies. Thus, this project which is being constructed is illegal for lack of appropriate permits.

This situation is not only contrary to the Law 230 of July 31, 1974 (3 L.P.R. secc. 283) as amended, also known as the Puerto Rico Accounting Law, but also in direct contrast to Law 96 of June 26, 1964 as amended. See also the Opinions of the Justice Secretary of Puerto Rico number 2010-15 and H.M.C.A. (P.R.) Inc et al v. Contralor 126 D.P.R. 478 (1990).

Furthermore, the 800,000 elderly residents of Puerto Rico, which we represent and have and are contributing to the General Fund of

the Commonwealth and the budgeted funds of PREPA which are being used illegally to fund a project which has not even received the proper permits by federal agencies in order to commence the construction of the project, wish to formally file a Complaint before your agency.

Our client has sworn statements from many of the elderly population being seriously affected by the actions undertaken by Commonwealth and PREPA as well as a psychological study of the adverse effect that these actions have caused on the general elderly population of the areas impacted by the Via Verde project.

After the investigation we are confident that your Department will have reasonable cause to believe that the Commonwealth and PREPA are engaged in a pattern or practice of illegally using public funds for the Via Verde project.

If you have any doubts or questions, please feel free to contact us at (787) 721-6121.

ROSSANA LÓPEZ LEÓN, MSG,
Ombudsman for the Elderly.

COMMONWEALTH OF PUERTO RICO,
PUERTO RICO OFFICE OF THE OMBUDSMAN FOR THE ELDERLY

San Juan, Puerto Rico, April 25 2011.

Re Complaint by The Puerto Rico Office Of The Ombudsman For The Elderly Against The Commonwealth of Puerto Rico and The Puerto Rico Energy Power Authority.

Hon. J. RANDOLPH BABBITT,
U.S. Department of Transportation, Federal Aviation Administration, Washington, DC.

FANNY RIVERA,
U.S. Department of Transportation, Federal Aviation Administration, Washington, DC.

MARGARET GILLIGAN,
U.S. Department of Transportation, Federal Aviation Administration, Washington, DC.

SAN JUAN, PUERTO RICO FSDO,
San Juan, Puerto Rico.

DEAR SIR: The Puerto Rico Office Of The Ombudsman For The Elderly (herein after OPPEA), represented by the undersigned, Hon. Rossana López León, is the “state unit on aging of Puerto Rico” in charge of enacting the Older Americans Act by virtue of the provisions of Act No. 203 of August 7, 2004, as well as by the “Bill of Rights for Aged Persons in Puerto Rico”, Act No. 121 of July 12, 1986, as amended.

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Now, The Commonwealth of Puerto Rico (herein after Commonwealth) in cohort with the Puerto Rico Energy Power Agency (herein after PREPA) have placed into action a project denominated The Via Verde Pipeline which is a planned natural gas network to supply liquefied gas from north to south in Puerto Rico, a project of Governor Luis Fortuño.

The pipeline will distribute natural gas from the Peñuelas/Guayanilla area north to the Arecibo Cambalache Plant on to Palo Seco/San Juan.

"Via Verde" will negatively impact forest areas, hydrographic basins, lands fit for agriculture, and the all-important and endangered karstic region of northern Puerto Rico.

Furthermore, more than 200 elderly individuals, under the protection of the Older American Act are being affected and their rights under that federal statute and the Constitution being breached and violated by Commonwealth and PREPA.

These repetitive violations have become a danger to the lives, health, rights and property of the elderly population of the sector being impacted by the Via Verde project by way of illegal trespassing into the properties of the elderly under the false pretext of measuring a non existing right of way, illegal trespassing into the homes of the elderly with fraudulent pretenses to generate a written authorization from the elderly to allow and permit a consented purchase of their property to the Commonwealth and PREPA well below market value of the property, without granting the elderly the opportunity to seek counsel, a recent appraisal of their property or to contest the eminent domain procedure which they are threatened with if they do not grant a "voluntary" consent to sell their properties.

Furthermore, the elderly population is being targeted with a psychological "warfare" tactic through constant "buzzing" of low flying Commonwealth and PREPA helicopters, some of which "sit" on top of the elderly individuals residences for a prolonged period of time without any apparent reason or motive, but to scare and cause fear in people of 80 or 90 years old with cardiac and hypertensive medical conditions which, in many cases have never been outside the rural areas and therefore never been exposed to a helicopters noise and "buzzing". These "buzzing" flights are being conducted day and intermittently at night under the 500 feet limit without any cause or reasonable explanation.

Title 14, Code of Federal Regulations, Section 91.119 of the General Operating and Flight Rules specifically prohibits low-flying aircraft, except when necessary for takeoff or landing, over any congested area of a city, town, or settlement, or over any open air assembly of persons, an altitude of 1,000 feet above the highest obstacle within a horizontal radius of 2,000 feet of the aircraft, over other than congested areas, over an altitude of 500 feet above the surface except over open water or sparsely populated areas. In the latter case, the aircraft may not be operated closer than 500 feet to any person, vessel, vehicle, or structure. This rule of thumb applies to Helicopters which may be operated at less than the minimums prescribed above, if and only if, the operation is conducted without hazard to persons or property on the surface.

OPPEA has sworn statements from many of the elderly population being seriously affected by the actions undertaken by Commonwealth and PREPA as well as a psychological study of the adverse effect that these actions have caused on the general elderly population of the areas impacted by the Via Verde project.

Identification: The civilian helicopters involved in the "buzzing" flights are readily identifiable since they bear the markings of PREPA or are being rented by PREPA or its agents or subcontractor, New Star Acquisitions. The "buzzing" flights are being performed under the 500 feet limit as per the above mentioned CFR, by aircraft number N5800, N5854, and N5842.

These flights have been occurring since the last six months almost every Monday, Wednesday and Friday.

These flights have been occurring in the area of Adjuntas, Orocovis and Penuelas, Puerto Rico. The aircrafts have been flying in no particular direction since they are "buzzing" the residents within the area or sites where the Via Verde gas pipeline project is to be constructed.

The color of the aircrafts are plainly visible in the photographs attached.

The altitude in which these flights regularly occur are below the 500 feet tarmac limit imposed by the CFR cited above. The flight below the limit was estimated on the remaining distance between the roof of the houses in which the "sitting" and the "buzzing" was being performed by the pilots of the aircrafts operated by the Commonwealth and PREPA.

Some of the witnesses submitted sworn statements which are at your disposal for inclusion in the investigative process. The names, addresses and telephone numbers are included in this Complaint for your perusal.

More photographs and statements will be made available to you as soon as they are obtained from our clients.

We understand that some elderly residents in the towns of Penuelas, Utuado and Adjuntas did file complaints before the Puerto Rico Police Department and therefore the criminal complaints will be submitted as soon as we obtain a certified copy from the Police Department.

Understanding that these actions and policies are an open violation of the Civil Rights Act, the Older American Act and the federal statutes and regulations of which you are particularly in charge of administering, we request a formal criminal and civil investigation from your Department.

After the investigation we are confident that your Department will have reasonable cause to believe that the Commonwealth and PREPA are engaged in a pattern or practice of violating the FAA regulations and the rights of the elderly population impacted by the Via Verde Project and that the pattern or practice is of such a nature that it is intended to deny the full exercise of the rights of our client and of many others numbering in the thousands.

If you have any doubts or questions, please do not hesitate to contact us at (787) 721-6121.

Cordially,

ROSSANA LÓPEZ LEÓN, MSG,
Ombudsman for the Elderly.

COMMONWEALTH OF PUERTO RICO,
PUERTO RICO OFFICE OF THE OMBUDSMAN FOR THE ELDERLY

San Juan, Puerto Rico, April 26, 2011.

Re Complaint by the Puerto Rico Office of the Ombudsman for the Elderly Against the Commonwealth of Puerto Rico and the Puerto Rico Energy Power Authority.

Mr. GENE L. DODARO,
Comptroller General, Government Accountability Office, Washington, DC.

DEAR SIR: The Puerto Rico Office of the Ombudsman for the Elderly (hereinafter OPPEA) represented by the undersigned, Hon. Rossana López León, is the "state unit on aging of Puerto Rico" in charge of enacting the Older Americans Act by virtue of the provisions of Act No. 203 of August 7, 2004, as well as by the "Bill of Rights for Aged Persons in Puerto Rico", Act No. 121 of July 12, 1986, as amended.

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Other functions and duties of OPPEA are:

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d. Compile, accumulate and analyze all statistical data necessary for the planning, coordination and the development of a public policy related to elderly affairs, that responds to the needs of the particular moment;

e. Educate the community regarding the elderly affairs in order to create a positive attitude towards the elderly population;

f. Provide information to elderly people regarding the services, benefits, programs and activities that public agencies and private entities offer; and

g. Recommend to the Governor of Puerto Rico and the Legislative Assembly those procedures they believe necessary in order to attend the problems and necessities of the elderly community.

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Furthermore, more than 200 elderly individuals, under the protection of the Older American Act are being affected and their rights under that federal statute and the Constitution being breached and violated by Commonwealth and PREPA.

These repetitive violations have become a danger to the lives, health, rights and property of the elderly population of the sector being impacted by the Via Verde project by way of illegal trespassing into the properties of the elderly under the false pretext of measuring a nonexistent right of way, illegal trespassing into the homes of the elderly with fraudulent pretenses to generate a written authorization from the elderly to allow and permit a consented purchase of their property to the Commonwealth and PREPA well below market value of the property, without granting the elderly the opportunity to seek counsel, a recent appraisal of their property or to contest the eminent domain procedure which they are threatened with if they do not grant a "voluntary" consent to sell their properties.

Furthermore, the elderly population is being targeted with a psychological "warfare" tactic through constant "buzzing" of low flying Commonwealth and PREPA helicopters, some of which "sit" on top of the elderly individuals' residences for a prolong period of time without any apparent reason or motive, but to scare and cause fear in people of 80 or 90 years old with cardiac and hypertensive medical conditions which, in many cases have never been outside the rural areas and therefore never been exposed to a helicopter's noise and "buzzing". These "buzzing" flights are being conducted day and intermittently at night under the 500 feet limit without any cause or reasonable explanation.

These repetitive violations have become a danger to the lives, health, rights and property of the elderly population of the sector being impacted by the Via Verde project by way of illegal trespassing into the properties of the elderly under the false pretext of measuring a nonexistent right of way, illegal trespassing into the homes of the elderly with fraudulent pretenses to generate a written authorization from the elderly to allow and permit a consented purchase of their property to the Commonwealth and PREPA well below market value of the property, without granting the elderly the opportunity to seek counsel, a recent appraisal of their property or to contest the eminent domain procedure which they are threatened with if they do not grant a "voluntary" consent to sell their properties.

Furthermore, most of the elderly population residing in the impacted areas receive their water supply from private or public

reservoirs that are a huge part of the underground karstic region. It has been evidenced by the detractors of the Via Verde project that the underground water supply will be contaminated by bentonite, polymers, surfactants and dye tracers which would render the underground water supply contaminated and useless for human consumption. The Corps must be aware that there is no other source of water for these elderly residents of the region since in many parts of the rural regions where they reside the Commonwealth does not provide a source of water.

Moreover, it should be public notice that the Government of Puerto Rico has not only already spent millions of dollars from state public coffers but also from federal sources like ARRA and has authorized multimillion dollar contracts for the purchase of land, materials (gas pipeline) and the construction of the gas pipeline itself, without the appropriate permits from the U.S. Corps of Engineers, U.S. Wildlife and Fisheries and other relevant federal agencies. Thus, this project which is being constructed is illegal for lack of appropriate permits.

This situation is not only contrary to the Law 230 of July 31, 1974 (3 L.P.R. secc. 283) as amended, also known as the Puerto Rico Accounting Law, but also in direct contrast to Law 96 of June 26, 1964 as amended. See also the Opinions of the Justice Secretary of Puerto Rico number 2010-15 and H.M.C.A. (P.R.) Inc et al. v. Contralor 126 D.P.R. 478 (1990).

Understanding that these actions and policies are an open violation of the Civil Rights Act, the Americans with Disabilities Act and the Age Discrimination in Employment Act, among others, we request a formal criminal and civil investigation from your Department.

After the investigation we are confident that your Department will have reasonable cause to believe that any person or group of persons is engaged in a pattern or practice of resistance to the full enjoyment of any of the rights secured by the law, and that the pattern or practice is of such a nature and is intended to deny the full exercise of the rights of our client and of many others numbering in the thousands.

If you have any doubts or questions, please do not hesitate to contact us.

Cordially,

ROSSANA LÓPEZ LEÓN, MSG,
Ombudsman for the Elderly.

COMMONWEALTH OF PUERTO RICO,
PUERTO RICO OFFICE OF THE OMBUDSMAN FOR THE ELDERLY,

San Juan, Puerto Rico, April 25, 2011.

Re: Complaint by The Puerto Rico Office Of The Ombudsman For The Elderly Against The Commonwealth of Puerto Rico and The Puerto Rico Energy Power Authority.

U.S. ARMY CORPS OF ENGINEERS,
South Atlantic Division,
Jacksonville, FL.

U.S. ARMY CORPS OF ENGINEERS,
South Atlantic Division,
Atlanta, Georgia.

DEAR SIR: The Puerto Rico Office Of The Ombudsman For The Elderly (herein after OPPEA) represented by the undersigned, Hon. Rossana López León, is the "state unit on aging of Puerto Rico" in charge of enacting the Older Americans Act by virtue of the provisions of Act No. 203 of August 7, 2004, as well as by the "Bill of Rights for Aged Persons in Puerto Rico", Act No. 121 of July 12, 1986, as amended.

OPPEA, upon attending to the needs of this specific population, acts as an enabling agent in the search for a better quality of

life for these residents, who on occasion are deprived of their civil and human rights as members of our society for which it receives substantial federal funds. As a matter of fact, OPPEA receives 90% of its budget from federal sources.

The creation of this office serves the purpose of reaffirming the importance of the elderly citizens in our country, guaranteeing their full enjoyment of the rights and prerogatives which they are entitled to.

OPPEA is also the agency designated to administer and implement the federal programs of federal public Law 89-73 dated July 14, 1965, as amended, known as "Older Americans Act". It can also be designated by the Governor of Puerto Rico as the local agency in charge of any other federal awards destined for elderly programs.

Now, The Commonwealth of Puerto Rico (herein after Commonwealth) in cohort with the Puerto Rico Energy Power Agency (herein after PREPA) have placed into action a project called The Via Verde Pipeline (application of reference) which is a planned natural gas network to supply energy from north to south in Puerto Rico, a project of Governor Luis Fortuño.

The pipeline will distribute natural gas from the Peñuelas/Guayanilla area north to the Arecibo Cambalache Plant on to Palo Seco/San Juan.

"Via Verde" will negatively impact forest areas, hydrographic basins, lands fit for agriculture, and the all-important and endangered karstic region of northern Puerto Rico as your letter of December 22, 2010 sent to PREPA has underscored.

Furthermore, more than 200 elderly individuals, under the protection of the Older American Act, residing for more than 30 years in the area to be impacted by the Via Verde project are being and will be adversely affected and their rights under federal statutes and regulations breached and violated by Commonwealth and PREPA.

These repetitive violations have become a danger to the lives, health, rights and property of the elderly population of the sector being impacted by the Via Verde project by way of illegal trespassing into the properties of the elderly under the false pretext of measuring a non existing right of way, illegal trespassing into the homes of the elderly with fraudulent pretenses to generate a written authorization from the elderly to allow and permit a consented purchase of their property to the Commonwealth and PREPA well below market value of the property, without granting the elderly the opportunity to seek counsel, a recent appraisal of their property or to contest the eminent domain procedure which they are threatened with if they do not grant a "voluntary" consent to sell their properties.

Furthermore, most of the elderly population residing in the impacted areas receive their water supply from private or public reservoirs that are a huge part of the underground karstic region. It has been evidenced by the detractors of the Via Verde project that the underground water supply will be contaminated by bentonite, polymers, surfactants and dye tracers which would render the underground water supply contaminated and useless for human consumption. The Corps must be aware that there is no other source of water for these elderly residents of the region since in many parts of the rural regions where they reside the Commonwealth does not provide a source of water.

Moreover, although alternative sites or projects have been proposed to the Commonwealth, to no avail.

Our client has sworn statements from many of the elderly population being seriously affected by the actions undertaken by

Commonwealth and PREPA as well as a psychological study of the adverse effect that these actions have caused on the general elderly population of the areas impacted by the Via Verde project.

Understanding that these actions and policies are an open violation of the Older American Act and the federal statutes and regulations of which you are particularly in charge of administering, we request a formal filing of this complaint before the Corps.

If you have any doubts or questions, please do not hesitate to contact our office at (787) 721-6121.

Cordially,

ROSSANA LÓPEZ LEÓN, MSG,
Ombudsman for the Elderly.

ABORTION DEBATE

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

Mr. LANKFORD. Abortion is one of the most divisive issues in America. One side sees the child in the womb as nothing but tissue, like a skin mole, and no one should tell a woman when and if she can have an unnecessary and inconvenient tissue removed from her body. The other side looks at that "tissue" in the womb and sees it sucking its thumb, reacting to her mother singing, and possessing unique DNA, and asks the question: How can that not be a child?

The debate about life will not be resolved today, though for the sake of millions of children who will die in the womb in abortion clinics, I wish it could have been resolved yesterday. H.R. 3, which we will be discussing all day today asks the question: Should the Federal Government ever use taxpayer dollars to pay for or supplement abortions?

When the Nation is so divided over this issue, isn't it common sense not to force a person who is passionately opposed to the death of the unborn to assist in paying for the procedure?

H.R. 3 also protects the conscience of health care providers to not be forced to perform a procedure that they believe violates their most basic oath: Do no harm.

Each year, this Congress votes to prohibit abortion funding through our appropriations process. It's time that we settled this issue permanently and clearly. No taxpayer funding, support, or tax incentives of abortion in any way for this year, in any future year.

In a day of skyrocketing debt, how can we justify supplementing abortion and saying that it's a necessary and essential element of government? I think we cannot.

This is time to resolve this issue. I strongly encourage my colleagues to support H.R. 3 today in that vote.

OUR DEPENDENCE ON FOREIGN OIL

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

Mr. QUIGLEY. Mr. Speaker, in the great debate over oil and gas prices, there are actually many things we can all agree on. We agree our dependence on foreign oil endangers our environment, hurts our economy, and weakens our national security. Our disagreement lies in potential solutions.

I believe that in order to lower gas prices, we can and must crack down on oil speculators, end Big Oil handouts, invest in public transit and electric vehicles, and increase corporate average fuel economy standards. The other side of the argument would have you believe that all we need to do is increase our domestic oil resources and remove regulations—regulations that purportedly forced us to look outside our Nation's borders for oil.

Our answers do not lie in more oil. Our answers lie in conservation and smart investments.

Talk about smart investment—every increase of 1 mile per gallon in auto fuel efficiency yields more oil than can be found in two Arctic National Wildlife Refuges. An improvement right now of 2.7 miles per gallon would eliminate our need for all Persian Gulf oil.

But it's not a question of simple domestic supply and demand either, another argument the other side of this issue will use. Oil prices are set on a global oil market. Historically, such small increases in U.S. production have had little or no impact on world oil prices.

The U.S. Energy Information Administration, or EIA, states in a 2008 report that Arctic Refuge oil production "is not expected to have a large impact on world oil prices," noting that OPEC "could neutralize any potential price impact of ANWR coastal plain production by reducing its exports by an equal amount."

Again, our answer does not lie in increased domestic oil production. Our answer lies in conservation and in a solid commitment to investment in renewable energy resources.

Recent increases in conservation and use of alternative technologies has cut our Nation's projected need for imported oil between now and 2050 by more than 100 billion barrels. That's 10 times more benefit that we might be able to get during the same period from the Arctic National Wildlife Refuge, without sacrificing one of our Nation's most valued wilderness ecosystems.

In the past few years, we've taken small steps to focus on conservation rather than production. In late 2007, corporate average fuel standards, commonly known as CAFE standards, received their first overhaul in more than 30 years. This was a huge step in the right direction, but there remains much work to do.

The bills we will consider in the coming week will endanger our environment, hurt our economy, and weaken our national security. It seems to me these are the very same concerns we have with an overarching reliance and addiction to foreign oil.

H.R. 1229 and H.R. 1230 supplant our national environmental policies, tell residents along our coasts we don't care how they feel about drilling in their waters, damage the ecosystems the industries along our coasts rely on, and go against what military experts have been saying about drilling.

Just weeks ago, several former military officers shared their thoughts and concern. "America's dependence on oil constitutes a clear and present danger to the security and welfare of the United States." And they continue to say they are concerned with congressional efforts to undermine the agencies charged with overseeing extraction. What they are saying is it's important to reduce our dependence on foreign oil for our national security's sake, and it's important to retain regulatory authority to oversee drilling and extraction of oil and gas. Then, you follow that it's important to regulate our extraction in order to protect our Nation.

These bills do not offer solutions. And what is worse, a full year following the disaster of the Macondo/Deepwater well, we have yet to reform our Outer Continental Shelf policy. But, again, you don't need to take my word for it.

The U.S. Energy Information Administration put out a 2009 report comparing the difference between full, unrestricted offshore drilling and restricted offshore drilling. EIA found that in 2020, restrictions on drilling versus unrestricted access had no impact on cost. The cost per barrel was identical. In 2030, indiscriminate drilling would lower our gas prices by just 3 cents.

Take the calls for drilling in the Arctic Refuge as another example. Even at peak production in 2030, Arctic Refuge oil would account for six-tenths of 1 percent of world oil production and only 2.4 percent of U.S. oil consumption.

We can proactively move our Nation toward reducing our dependence on foreign oil so that we can take control of our energy future, protect our Nation, our economy, and our environment. And we must.

SPENDING-DRIVEN DEBT CRISIS

The SPEAKER pro tempore. The Chair recognizes the gentleman from North Carolina (Ms. FOX) for 5 minutes.

Ms. FOX. If your car is speeding into a ditch, the only thing to do to survive is to slam the brakes as fast and hard as you can. Anything else only stalls the disaster to come.

At this moment, America is speeding into bankruptcy, and the only way to stop the descent and save our country is to slam the brakes on government spending and set our Nation on a brand new fiscal trajectory.

Critical times call for critical measures. The American people deserve honest and courageous leadership from