

McGovern	Quayle	Shuler
McHenry	Quigley	Shuster
McIntyre	Rahall	Simpson
McKeon	Rangel	Sires
McKinley	Reed	Slaughter
McMorris	Rehberg	Smith (NE)
Rodgers	Reichert	Smith (NJ)
McNerney	Renacci	Smith (TX)
Meehan	Reyes	Smith (WA)
Mica	Ribble	Southerland
Michaud	Richardson	Speier
Miller (FL)	Richmond	Stark
Miller (MI)	Rigell	Stearns
Miller (NC)	Rivera	Stivers
Miller, Gary	Roby	Sutton
Miller, George	Roe (TN)	Thompson (CA)
Moore	Rogers (AL)	Thompson (MS)
Mulvaney	Rogers (KY)	Thompson (PA)
Murphy (CT)	Rogers (MI)	Thornberry
Murphy (PA)	Rohrabacher	Tiberi
Myrick	Rokita	Tierney
Nadler	Rooney	Tonko
Napolitano	Ross (AR)	Towns
Neal	Ross (FL)	Tsongas
Neugebauer	Rothman (NJ)	Turner
Noem	Roybal-Allard	Upton
Nugent	Royce	Van Hollen
Nunes	Runyan	Velázquez
Nunnelee	Ruppersberger	Visclosky
Olson	Ryan (OH)	Walden
Olver	Ryan (WI)	Walz (MN)
Owens	Sánchez, Linda	Wasserman
Palazzo	T.	Schultz
Pallone	Sanchez, Loretta	Watt
Pascarella	Sarbanes	Waxman
Pastor (AZ)	Scalise	Webster
Paulsen	Schakowsky	Welch
Payne	Schiff	West
Pelosi	Schmidt	Westmoreland
Pence	Schock	Whitfield
Perlmutter	Schrader	Wilson (FL)
Peters	Schwartz	Wilson (SC)
Peterson	Scott (SC)	Wittman
Petri	Scott (VA)	Wolf
Pitts	Scott, Austin	Womack
Platts	Scott, David	Woodall
Poe (TX)	Sensenbrenner	Woolsey
Polis	Serrano	Wu
Pompeo	Sessions	Yarmuth
Posey	Sewell	Yoder
Price (GA)	Sherman	Young (FL)
Price (NC)	Shimkus	Young (IN)

NAYS—23

Amash	Harris	Pearce
Boustany	Hartzler	Schilling
Broun (GA)	Huelskamp	Stutzman
Chaffetz	Hurt	Tipton
Flake	Kingston	Walberg
Garrett	Lummis	Walsh (IL)
Graves (GA)	McCotter	Young (AK)
Griffith (VA)	Paul	

NOT VOTING—27

Baca	Graves (MO)	Moran
Calvert	Green, Al	Pingree (ME)
Carter	Hayworth	Ros-Lehtinen
Cohen	Hinche	Roskam
Davis (CA)	Keating	Rush
Diaz-Balart	Latham	Schweikert
Gallegly	Long	Sullivan
Giffords	Marchant	Terry
Gohmert	Meeks	Waters

□ 1933

Mr. POE of Texas changed his vote from “nay” to “yea.”

So (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. GENE GREEN of Texas. Mr. Speaker, I was absent earlier today due to a prior commitment scheduled before we knew the House would be in session. On the votes I missed, on H.R. 2715, to provide greater authority and discretion to the CPSC in enforcement

of product safety laws, had I been present, I would have voted “yes.”

On H.R. 398, to amend the Immigration and Nationality Act to toll during national and active duty service abroad in the Armed Forces, I would have voted “yes.”

On H.R. 1933, to amend the Immigration and Nationality Act to modify requirements, I would have voted “yes.” While I do recognize the shortage of nurses in our country, I would hope that we should focus on providing more incentives to students here to become nurses.

On the motion on ordering the previous question on the rule for S. 365, I would have voted “no.”

On H. Res. 384, the rule providing for consideration of S. 365, I would have voted “no.”

On the Journal vote, I would have voted “yes.”

APPOINTMENT OF MEMBER TO CONGRESSIONAL-EXECUTIVE COMMISSION ON THE PEOPLE'S REPUBLIC OF CHINA

The SPEAKER pro tempore (Mr. BROOKS). Pursuant to 22 U.S.C. 6913, and the order of the House of January 5, 2011, the Chair announces the Speaker's appointment of the following Member of the House to the Congressional-Executive Commission on the People's Republic of China:

Mr. SMITH of New Jersey, Chairman.

HOURLY OF MEETING ON TOMORROW

Mr. POE of Texas. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 10 a.m. tomorrow.

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

There was no objection.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will recognize for special-order speeches without prejudice to the possibility of further legislative business.

GABBY'S BACK

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

Mr. POE of Texas. Mr. Speaker, this was a good day. And one of the reasons it's a good day is because GABBY GIFFORDS is back.

Mr. Speaker, she is one of the best things in this Congress. To me, she came back tonight, cast her vote, the first vote since she was attacked. And she is a perfect example of bipartisanship. I have had the privilege to work with her on the issue of border security. And while she was in the hospital recovering in my hometown of Houston, Texas, her staff in Arizona hosted

me so I could go down to the border and see firsthand the problems of border security in Arizona.

I think she is a model for the attitude that we should all have. She is tenacious and she is relentless in her love for America and her desire to do what's right and represent the people in Arizona that elected her here.

So welcome back, GABBY GIFFORDS. You were missed, and we're glad you're back.

And that's just the way it is.

URGING CLEMENCY FOR JONATHAN POLLARD

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

Mr. FRANK of Massachusetts. Mr. Speaker, earlier this year a group of Members sent a letter to President Obama urging him to grant clemency at this point and commute the sentence for Jonathan Pollard.

Jonathan Pollard spied on the United States on behalf of Israel. He should not have done that, and he was punished. But the punishment for that espionage has gone on longer than anything comparable.

I believe that there is a personal argument for the clemency, and there is also the fact that American-Israeli relations are always important, and are particularly important now. We are asking the Israelis to take some steps towards a negotiated peace that may or may not be possible for them to take. Knowing that America recognizes the strength of that friendship is a very important factor in our persuading them of that.

And I believe that in addition to the arguments based on the excessive length of the sentence, I think, the fact that Mr. Pollard has served for so long, clearly the deterrent effect is there, we are not asking that he be pardoned, we are not condoning his crime, we are saying that in addition to the personal argument, it would be a sign of U.S.-Israeli relations that I think would help strengthen the climate for peace. I will be submitting a copy of the letter at a later time that we sent to the President for inclusion.

RECOGNIZING PAST AND PRESENT JUDICIARY OF COMMONWEALTH OF NORTHERN MARIANA ISLANDS

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

Mr. SABLON. Mr. Speaker, I rise today to pay tribute to the many individuals who founded, developed and stewarded the judicial system in the Northern Mariana Islands, where American jurisprudence was rooted in the liberation of our islands in 1944.

The World War II-era naval military government established a three-tiered

organization of Exceptional Military Courts. The later-established Trust Territory of the Pacific Islands judiciary was also a three-tiered court system.

When the Commonwealth was formed in 1978, a Commonwealth Trial Court, later renamed the Commonwealth Superior Court, was established. During the trial court's infancy, the Federal district court for the Northern Mariana Islands retained limited original and appellate jurisdiction over local matters.

In 1989, a Commonwealth Supreme Court with local appellate jurisdiction was created. Finally, in 2004, Ninth Circuit appellate jurisdiction over Commonwealth Supreme Court decisions ended, and those decisions are now appealable only to the United States Supreme Court.

The history of our court system is colorful and is as unique as our islands and our people. Please join me in paying tribute to the many judges and justices who have served our islands with distinction.

Mr. Speaker, I rise today to pay tribute to the many individuals who founded, developed, and stewarded the judicial system in the Northern Mariana Islands. American jurisprudence in the Northern Marianas is rooted in the American invasion and liberation of the islands in 1944.

The earliest American laws in this World War II period were proclamations from the Naval Military Government, which exercised control over the islands for three years following the initial invasion. A three-tiered organization of Exceptional Military Courts was established by Admiral Chester Nimitz. Under this system, Summary Provost Courts, with one military officer sitting as judge, were established as courts of limited jurisdiction to hear cases for which the punishment was less than one year in prison or a fine of less than two thousand dollars. Superior Provost Courts—comprised of one or more military officers—were convened on an ad hoc basis to consider cases in which the potential punishment ranged to ten years in prison. The Military Commission was the highest court of the land, and could hear cases of any nature. This tribunal was convened by the Military Governor and the three military officers who comprised the Commission could mete out any punishment up to, and including, a death sentence—although any execution could not be carried out without the confirmation of the Secretary of the Navy. The Naval Military Government did not establish any military courts with jurisdiction over civil matters—during this period, local disputes that were not informally resolved among the native islanders were resolved with the assistance of a military officer acting as a “higher authority,” but not sitting as a court. Records indicate that a Village Magistrate Court may have been established in 1947, shortly before the advent of the United Nations’ Trust Territory of the Pacific Islands in July of that year.

The judiciary established in the Trust Territory, as in Naval Military Government days, was a three-tiered system of community courts, district courts, and a High Court. Community court judges, appointed by the district administrator, could hear civil matters in which

the amount in dispute did not exceed one hundred dollars and criminal matters in which the punishment did not exceed six months in jail, a one hundred dollar fine, or both. District courts had jurisdiction over civil matters in which the amount in dispute did not exceed one thousand dollars and criminal matters in which the punishment did not exceed two years in jail, a two thousand dollar fine, or both. District courts were staffed by a presiding judge and one or more associate judges, appointed by the High Commissioner, and also had appellate jurisdiction over community court actions. The High Court, which consisted of a chief justice and a number of associate justices and temporary judges, had appellate review over district court decisions and also had general jurisdiction over all civil and criminal cases in the Trust Territory.

Upon the formation of the Commonwealth in 1978, a Commonwealth Trial Court was established by our local legislature pursuant to the Commonwealth Constitution. The first judge of the court was confirmed in February 1979, and was joined by additional judges over the following few years. During the trial court's infancy, the federal district court for the Northern Marianas retained jurisdiction over civil cases involving amounts in controversy over five thousand dollars, criminal cases in which the potential penalty exceeded five years’ imprisonment, and all jury trials. The district court also maintained appellate jurisdiction over Commonwealth Trial Court decisions.

In 1989, a public law renamed the Commonwealth Trial Court as the Commonwealth Superior Court, and established a Commonwealth Supreme Court with local appellate jurisdiction.

Perhaps the most significant event in the history of the Commonwealth judiciary occurred in 1997, when voters in the Commonwealth approved a House Legislative Initiative which established the Commonwealth Supreme and Superior Courts as constitutional entities under a unified judiciary system.

In May 2004, the Commonwealth court system achieved status akin to that of all other state judiciaries, when Ninth Circuit appellate jurisdiction over Commonwealth Supreme Court decisions ended. Now, Commonwealth Supreme Court decisions are final unless the United States Supreme Court grants certiorari review.

Recently, our community celebrated the culmination of a multiyear project with the publication of *The Northern Mariana Islands Judiciary: A Historical Overview*, authored by past and present members of our judiciary, law clerks, and others, and which provides a comprehensive view of the evolution of law and legal systems in the Commonwealth from 1521 to the present. The book was published by the Northern Marianas Judiciary Historical Society, and was funded by a National Endowment for the Humanities grant administered by the NMI Council for the Humanities.

The Commonwealth judiciary has evolved from its original roots in military necessity to a full-fledged branch of government, coequal with the local executive and legislative branches. Today, there are three Supreme Court justices and five Superior Court judges, the majority of whom were born and raised in our community. And, in addition, there is a United States District Court for the Northern Mariana Islands to which the President has nominated and the U.S. Senate has confirmed

a native of the Northern Mariana Islands. The history of our court system is colorful and as unique as our islands and our people.

I ask you to join me in paying tribute to the many judges and justices who have served our islands with distinction over the course of nearly 70 years since the Battle of Saipan.

Current Commonwealth Supreme Court justices: Miguel S. Demapan, Chief Justice; Alexandro C. Castro, Associate Justice; and John A. Manglona, Associate Justice.

Current Commonwealth Superior Court judges: Robert C. Naraja, Presiding Judge; David A. Wiseman, Associate Judge; Ramona V. Manglona, Associate Judge; Kenneth L. Govendo, Associate Judge; and Perry B. Inos, Associate Judge.

Former Commonwealth Supreme Court justices: Jose S. Dela Cruz, Chief Justice; Marty W.K. Taylor, Chief Justice; Pedro M. Atalig, Associate Justice; Jesus C. Borja, Associate Justice; and Ramon G. Villagomez, Associate Justice.

Former Commonwealth Superior Court judges: Edward Manibusan, Presiding Judge; Timothy H. Bellas, Associate Judge; Virginia S. Sablan-Onerheim, Associate Judge; and Juan T. Lizama, Associate Judge.

Former Commonwealth Trial Court judges: Robert E. Moore, Associate Judge; Robert A. Hefner, Presiding Judge; and Herbert D. Soll, Associate Judge.

Current and former pro tem justices: Arthur R. Barcinas, Associate Judge, Guam Superior Court; Timothy H. Bellas, former Associate Judge, CNMI Superior Court; Richard H. Benson, former Associate Justice, Federated States of Micronesia Supreme Court; Michael J. Bordallo, Associate Judge, Guam Superior Court; Jesus C. Borja, former Associate Justice, CNMI Supreme Court; F. Philip Carbullido, Chief Justice, Guam Supreme Court; Benjamin J.F. Cruz, former Chief Justice, Guam Supreme Court; Alberto C. Lamorena III, Presiding Judge, Guam Superior Court; Edward Manibusan, former Presiding Judge, CNMI Superior Court; Joaquin V.E. Manibusan, Jr., former Associate Judge, Guam Superior Court; Katherine A. Maraman, Associate Justice, Guam Supreme Court; Virginia S. Sablan-Onerheim, former Associate Judge, CNMI Superior Court; Vernon P. Perez, Associate Judge, Guam Superior Court; Kathleen M. Salii, Associate Justice, Republic of Palau Supreme Court; Peter C. Siguenza, Jr., former Chief Justice, Guam Supreme Court; Herbert D. Soil, former Associate Judge, CNMI Trial Court; Anita A. Sukola, Associate Judge, Guam Superior Court; Robert J. Torres, Jr., Associate Justice, Guam Supreme Court; Frances M. Tydingco-Gatewood, former Associate Justice, Guam Supreme Court; and Steven S. Unpingco, Associate Judge, Guam Superior Court.

Former special judges: Pedro M. Atalig, Timothy H. Bellas, Benjamin J.F. Cruz, Larry L. Hillblom, Edward C. King, Rexford C. Kosack, Alberto C. Lamorena III, Juan T. Lizama, Jane E. Mack, Vicente T. Salas, Michael A. White, and David A. Wiseman.

Former Mariana Islands District Court and Community Courts justices and judges: in Saipan, Juan M. Ada, Ignacio V. Benavente, Olympio T. Borja, Francisco R. Cruz, Vicente E.D. Deleon Guerrero, Elias P. Sablan, Felipe A. Salas, and Jose A. Sonoda; in Rota, Andres C. Atalig, Jose A. Calvo, Fortunato T. Manglona, Santiago M. Manglona, Thomas C.

Mendiola, and Melchor S. Mendiola; and in Tinian, Joaquin C. Aldan, Freddy V. Hofschneider, Sr., and Henry V. Hofschneider.

Former Trust Territory High Court judges and justices: Edward P. Furber, Chief Justice and Temporary Judge; Robert K. Shoecraft, Chief Justice; Harold W. Burnett, Chief Justice and Associate Judge; Alex R. Munson, Chief Justice; James R. Nichols, Associate Judge; Pleaz William Mobley, Associate Judge; Philip R. Toomin, Associate Judge; Arthur J. McCormick, Associate Judge; Paul F. Kinnare, Associate Judge; Joseph W. Goss, Associate Judge and Temporary Judge; D. Kelley Turner, Associate Judge; Arvin H. Brown, Jr., Associate Judge; Robert A. Hefner, Associate Judge; Donald C. Williams, Associate Judge; Mamoru Nakamura, Associate Judge; Ernest F. Gianotti, Associate Judge; and Richard I. Miyamoto, Associate Judge.

Former Trust Territory High Court temporary judges: Richard H. Benson, Robert Clifton, E. Avery Crary, P. Drucker, Christobal C. Duenas, Eugene R. Gilmartin, Anthony M. Kennedy, Alex Kozinski, Alfred Laureta, Jose C. Manibusan, Carl A. Muecke, Joaquin C. Perez, Paul D. Shriver, J.M. Spivey, and Dickran M. Tevrizian.

Current and former U.S. District Court for the Northern Mariana Islands judges: Ramona Villagomez Manglona, Chief Judge; Alex R. Munson, former Chief Judge; Alfred Laureta, former Chief Judge.

BALANCED BUDGET AMENDMENT

The SPEAKER pro tempore. Under the Speaker's announced policy of January 5, 2011, the gentleman from Arizona (Mr. FRANKS) is recognized for 60 minutes as the designee of the majority leader.

Mr. FRANKS of Arizona. Mr. Speaker, I would also like to take this moment to just thank God that GABBY GIFFORDS has returned to this floor. You know, it so happens that just a few feet from here was the last time I had seen GABBY, when she left the floor prior to this tragic attack on her.

It just occurs to me that once in a while in this life we find an example where tragedy is transcended by the human spirit and triumph and the grace of God, and this is one of those days. I just congratulate her with everything in me that she has come back. She has the prayers of the entire delegation, and I know the entire Congress, as she goes forward to complete recovery.

We are all very, very grateful today. This is a wonderful celebration for every Member of this Congress. It is a celebration for just the cause of this Republic, because we believe that everyone has the right to have the freedom of speech and to peaceably assemble, and this is what she was doing when she was attacked. For her to come back this way as she has is a triumph of the first magnitude, and we are all so very, very proud of her, and welcome her back with all of our hearts.

Now, Mr. Speaker, I have another subject tonight that I want to talk about, and that is the recent chal-

lenges that we have faced over the debt limit raising and the effort on the part of many of us to place a balanced budget into the bill that went across to the Senate that would have required a balanced budget to be in our Constitution, because, Mr. Speaker, some of us believe that it is the only way that we are going to finally, in this country, deal with the challenges of deficit spending and with the burgeoning debt that threatens to crush this country in a way that no military power has ever been able to do.

□ 1940

Mr. Speaker, some of us have talked about this difficult problem for a very long time, and it seems that over and over again history repeats itself, and we never really deal with it like we should.

But this time, Mr. Speaker, we have placed something before the American people that I think they are going to hang on to, and I believe that there is great hope in the coming months that we will continue to strive for this balanced budget amendment, and I hope that the people of America are paying attention because we cannot repeal the laws of mathematics. This challenge will damage this country in the most profound way if we don't deal with it while we can.

Mr. Speaker, let me just say this: That all financial budgets will eventually balance, that's a fact. No individual, no family, no business, and no government can indefinitely continue to spend more money than they take in without someone having to make up the difference, Mr. Speaker, and that includes the budget of the United States Government.

Neither Mr. Obama nor congressional Democrats can repeal this law of mathematics. The Federal budget of the United States Government will eventually balance, as all of them do, whether it's a person or a government or a business, when they continue to spend money that they don't have, someone, sooner or later, has to make up the difference. The question with our Federal budget is whether the White House and those of us in this body will balance this budget ourselves by wise policy or national bankruptcy and financial ruin will do it for us.

From the day Barack Obama has walked into the White House he has, with breathtaking arrogance, Mr. Speaker, absolutely ignored economic and financial reality. It took America the first 216 years of its existence to accumulate the debt that Barack Obama has accumulated in the short 2½-year span of his presidency.

During this short time in office he has increased our Federal debt by nearly \$4 trillion, Mr. Speaker. And just to put that nearly \$4 trillion in new debt in perspective, let me just put it this way. If all of a sudden a wave of responsibility swept through this Chamber and we stopped all deficit spending and began to pay installments of \$1

million per day to pay down the nearly \$4 trillion debt that Barack Obama has created in just 2½ years, it would take us more than 10,000 years to pay off just Mr. Obama's accumulated debt in 2½ years. It would take us more than 10,000 years, Mr. Speaker, to do that if we paid it off in a million dollars a day, and that's if we don't have to pay one dime in interest in the process.

But you see, Mr. Speaker, we are not paying Mr. Obama's debt down at \$1 million per day; we are going deeper into debt, more than 4,000 times that much every day, and that's under Mr. Obama's own projected deficit and deficit projections. And then when speaking of the effort to reduce the deficit, the President has the hubris to tell conservative Republicans to take a balanced approach and to eat our peas.

Well, Mr. Speaker, if there's anything more catastrophically out of balance in our Federal budget it is the arrogance to competency ratio of this White House. We have watched as President Obama ran up a trillion-dollar deficit for the first time in history and then broke that record the very next year, and then say that we would have, according to his own projections, a trillion dollar-plus deficit for "years to come."

We have watched as the Obama administration promised that if we would just allow them to spend \$800 million on their stimulus package, the economy would rebound and unemployment would never reach 8 percent. Well, of course, that didn't happen, and then we watched this administration bring us ObamaCare, or the health care takeover by government.

And, Mr. Speaker, let me just suggest to you that at the time of that debate there was a lot of discussion over what private employers would do to their own insurance plans in the face of this government takeover of health care. Some people thought well, 5 percent, maybe 10 percent of the health care plans in the private sector would be dropped by corporations, would be dropped by employers.

But, Mr. Speaker, that projection is a little bit further off than we thought. The polled people that have answered the question of whether or not they would drop their health care plans, being employers, they have said that as many as half of them would do that now. Mr. Speaker, the reason I mention that is because if that's true, the cost of doing that, the cost of absorbing that to the Federal Government will be another \$2 trillion on top of the trillion dollars that was already in the bill. So ObamaCare itself could cost us \$3 trillion and, Mr. Speaker, that's just in the next 10 years.

So I would just say to you, Mr. Speaker, this administration has really done for deficits and debt what Stonehenge did for rocks. There is no one that has pressed this deficit spending more than the Obama administration. Mr. Speaker, the people have awakened, and they are tired of Mr. Obama telling them that 2 plus 2 equals 13.