

women and their children, like \$758 million from the WIC program and \$1 billion from Head Start. The long-term impact of these cuts is clear: prohibiting access to family planning services. So guess what happens? Then denying food for the child and denying access to preschool.

Mr. Speaker, H.R. 1 recklessly cuts spending at the expense of our economic recovery and job creation; nor does the Republican plan put us on a sustainable path to deficit reduction.

I urge my colleagues to vote against this job-cutting, fiscally irresponsible spending bill.

WE ALL NEED TO GET INTO THE BOAT TOGETHER

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

Mr. DREIER. Mr. Speaker, I rise this morning to congratulate President Obama for what I believe were the most important words that came from his press conference that he delivered yesterday when he said we all need to get into the boat together. Now, he was referring, of course, to the challenge of entitlement spending.

I listened to my California colleague talk about her priorities when it comes to dealing with budget issues. We are in the midst of a debate right now that will take place later today, and obviously it went into early this morning, on the continuing resolution and the challenges we face there. We are looking at making cuts that are important and need to take place. But, Mr. Speaker, they pale in comparison to the challenge that we face of dealing with entitlement spending.

When the President said we all need to get into that boat together, what he meant was, it was very clear, we need to work together in a bipartisan way. And there are all kinds of challenges that have been put before us and horror stories as it relates to entitlement spending. And there is a tendency on both sides of the aisle, when it comes to dealing with the issue of entitlement spending, to point the finger of blame at the other party. That's why I was particularly pleased that just recently the former chairman of the Senate Budget Committee, our colleague Pete Domenici, along with the former Director of the Congressional Budget Office, Alice Rivlin, have been meeting with leaders of both political parties, talking about the imperative of dealing with the issue of entitlement reform.

As we look at the debate that's taking place right now, Mr. Speaker, on the discretionary spending that is before us and juxtapose that to the massive, massive spending as we look as far as the eye can see when it comes to Social Security, Medicare, and other entitlement spending, I believe that if we can deal with entitlement spending, we will be able to have resources to address priorities that I know my California colleague and other colleagues

on both sides of the aisle share. So that's why I think that it's important for both the left and the right to come together and recognize that the problems that exist with entitlement spending need to be addressed in a bipartisan way. They can be addressed in a bipartisan way. And in so doing, we will be ensuring that future generations are not going to face this tremendous debt burden.

We'll be addressing the issue that the Chairman of the Joint Chiefs of Staff, Admiral Mike Mullen, has said is our number one national security threat, and that is the looming national debt. I believe that we will be able to let the American people know that we do have, as a priority, a desire to work together to resolve the very important problems that lie ahead.

A HUMAN AND CIVIL RIGHTS CRISIS

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

Mr. GUTIERREZ. I rise today to bring the urgent attention of the U.S. House of Representatives to a human rights and civil rights crisis. I want to talk to you today about a part of the world where the rights of citizens of all walks of life to protest and speak their minds is being denied with clubs and pepper spray; a part of the world where a student strike led the university to ban student protests anywhere, anytime on campus; and where, when the students protested the crackdown on free speech, they were violently attacked by heavily armed riot police; a place where a newspaper editorial stated, "The indiscriminate aggression of police riot squads against students who are exercising their constitutional rights in public areas is a gross violation of their rights and an act comparable only to the acts of the dictators we all denounce and reject"; a place where the government has closed public access to some legislative sessions just like this one.

I ask this Congress to look at a part of the world where the Bar Association has been dismantled by the legislature and its leader has been jailed for fighting a politically motivated lawsuit. And where is this part of the world? Egypt? No. Protesters exercising freedom of speech brought down a dictator in Cairo last week. What far away land has seen student protests banned, union protesters beaten, and free speech advocates jailed? The United States of America's colony of Puerto Rico. Sound outrageous? It is. But true, and well documented.

I ask my colleagues in the U.S. House of Representatives to turn their eyes to Puerto Rico. The doors of the U.S. Congress are open. Our proceedings are public. In fact, the public is our boss, and that's how it works in a democracy. Across America today, I am sure there will be protests at college campuses. Across America, workers will go

on strike, and there will be marches and protests against mayors and Governors and derogatory things said, even about President Obama.

In Madison, Wisconsin, as we speak, protests over employment policies and budget cuts at the University of Wisconsin are taking place. College and even high school students have been joined by union members and their allies in peaceful protests on the streets across the State of Wisconsin. Will we see pepper spray and beatings? Not likely. The protesters will be protected by the First Amendment to our Constitution. And that's the way it works in a democracy. It is their right to say whatever they want and say it without fear of pepper spray or clubs or a legislature that limits and restricts the people's rights.

In the 50 States, we have lots of organizations not unlike the Puerto Rican Bar Association, an organization under attack by the government, and we don't tolerate its leaders being sent to jail because they exercise their rights and they stand up for what they believe in. But that's not the reality in Puerto Rico.

Just last week, Judge Fuste, a Federal judge with close ties to the ruling party and a personal history of opposing the Puerto Rican Bar Association, this Federal judge whose salary is paid for by the taxpayers of America, ordered Osvaldo Toledo, the president of the Puerto Rican Bar Association, to jail. And what was Mr. Toledo's crime? Educating his members on how to opt out of a politically motivated lawsuit designed to destroy the Bar Association. For me, this attack was the final straw that brought me to the floor to speak out today.

So, in solidarity with Osvaldo Toledo, jailed for doing his job as the leader of the Puerto Rican Bar Association, I will enter into the CONGRESSIONAL RECORD today the instructions for his members on how to opt out of the class action lawsuit that is threatening the viability of the Bar Association.

I will say to those who would pass laws to stifle public protest, to those who would authorize the use of force against peaceful protesters, and to stifle the words and actions of their enemies, attacking free speech has no place in a democracy, and a Federal judge like Fuste should know better.

Here is a fact that most of us learned a long time ago: Brutal laws, secret meetings, armed enforcers don't extinguish the flame of justice; they are the spark that makes it burn even brighter. You may, with your armed guards and your restrictive laws, try to slow down the protests of the people of Puerto Rico. You may harass the Puerto Rican Bar Association and make their life uncomfortable for a while. And every time you turn police on students and jail an opponent, you guarantee that the good people of Puerto Rico and this Congress will speak out.

Mr. Speaker, I say to the people of Puerto Rico, there are some places

that this crusade to end free speech cannot reach, not today, not ever. I stand with you.

February 16, 2011
Brown vs. Colegio de Abogados Administrator

PO Box 2439 Faribault, MN 55021-9139.

Re: Request for Exclusion

To Whom It May Concern:

I do not want to be part of the Damages Class in Brown v. Colegio de Abogados de Puerto Rico, CV 06-1645 (JP).

No quiero ser parte de la Clase con Derecho a Resarcimiento en Brown v. Colegio de Abogados de Puerto Rico, CV 06-1645 (JP).

Regards, _____ (firma)

Name/Nombre _____

(print)(letra de molde)

Address/Dirección: _____

Phone Numbers/Teléfonos: () _____

() _____

IN THE UNITED STATES DISTRICT COURT FOR
THE DISTRICT OF PUERTO RICO

Herbert W. Brown, III, et al., Plaintiffs, v.
Colegio de Abogados de Puerto Rico, Defendant.

Civil No: 06-1645 (JP).

Class Action.

NOTICE OF CLASS ACTION LAWSUIT

Please read this notice carefully. It explains that you are entitled to a judgment against the Colegio de Abogados de Puerto Rico. This is not a notice of a lawsuit against you.

I. Summary of Important Points

Liability has been established in a federal class action lawsuit in which you were identified as a class member. You are automatically entitled to a judgment in your favor, unless you choose to exclude yourself from the judgment.

You do not need to do anything to have the judgment entered in your favor.

If your address has changed, you should complete the enclosed Change of Address form and submit it to the address indicated on the form so that any payment to you can be sent to your current address. Please note the following important dates:

February 26, 2011 Deadline for submitting Change of Address form (see enclosed form).

February 26, 2011 Deadline to exclude yourself from the judgment (see procedures below).

For more detailed information relating to this class action, please refer to the information set forth below.

II. Why did I get this notice?

This is a notice of a class action lawsuit wherein the Colegio de Abogados de Puerto Rico ("Colegio") was found liable for impermissibly collecting dues from its members from October 2002 to December 2006 which were utilized for a mandatory life insurance program. You have received this notice because records indicate that you were an attorney practicing in the Commonwealth of Puerto Rico local courts from 2002-2006, who was obligated to pay the Colegio the annual membership renewal fee in order to practice law in this jurisdiction. Your legal rights will be affected by the judgment to be entered in this lawsuit.

Please read this notice carefully. It explains the lawsuit, the finding of liability, and your legal rights.

III. What is this lawsuit about?

This lawsuit was filed on June 27, 2006, in the United States District Court for the District of Puerto Rico and assigned case number CV 06-1645 (JP), Plaintiffs Herbert W. Brown, III, José L. Ubarri, and David W. Román claimed that they were required to purchase a compulsory life insurance policy as a precondition to their ability to practice

law in Puerto Rico in violation of the First Amendment of the United States Constitution and 42 U.S.C. §1983.

Plaintiffs' claims were that the Colegio's compulsory life insurance program was not germane to the purposes that justify an integrated bar association, and therefore violated the First Amendment of the United States Constitution.

On September 26, 2008, the United States District Court for the District of Puerto Rico granted summary judgment in favor of Plaintiffs and found the Colegio liable for "damages to compensate the members of the Colegio whose dues were allocated to the compulsory life insurance program from the entry of the Romero decision in 2002 until the present . . ." *Brown v. Colegio de Abogados de Puerto Rico*, 579 F. Supp. 2d 211, 222 (D.P.R. 2008).

On April 27, 2009, the United States District Court for the District of Puerto Rico entered an Amended Final Judgment in favor of Plaintiffs.

On July 23, 2010, the United States Court of Appeals for the First Circuit affirmed the District Court's finding of liability against Colegio. Also, the First Circuit vacated the District Court's judgment insofar as it determined the amount of damages and remanded the case to allow notice to be given to Class Members including their right to opt out of the Class. The First Circuit determined that, after the expiration of the notice period, the District Court should reinstate the damage award as calculated before but this time excluding damages otherwise attributable to those who opted out of the Class. *Brown v. Colegio de Abogados de Puerto Rico*, 613 F.3d 44 (1st Cir. 2010).

IV. Why is this a class action?

In a class action, one or more persons, called "Class Representatives" (in this case Herbert W. Brown, III, José L. Ubarri, and David W. Román) sue on behalf of people who have similar claims. All of these people together are a "Class" or "Class Members." The Court resolves the issues for all Class Members, except for those who exclude themselves from the Class.

V. Who are Class Members?

You received this notice because the Colegio's records identified you as a Class Member entitled to damages. That means that you fit the description of the Damages Class, which the Court has certified. The certified Damages Class consists of all attorneys practicing in the Commonwealth of Puerto Rico local courts from 2002-2006, who were obligated to pay the Colegio de Abogados their yearly annual membership renewal fee in order to practice law in this jurisdiction.

VI. What will the judgment provide?

Judgment will be entered against the Colegio for damages based on the amount of the individual membership fees paid by Class Members to the Colegio from 2002-2006 which were impermissibly attributed to the compulsory life insurance program. This amount may total up to four million one hundred fifty six thousand nine hundred eighty eight dollars and seventy cents (\$4,156,988.70). Judgment will also be entered for interest, costs and attorney's fees, in an amount in addition to the damage figure. No attorney's fees will be deducted from the Damages Class' judgment or recovery.

The Court has also issued a permanent injunction as follows: Defendant Colegio de Abogados de Puerto Rico is hereby prohibited from collecting from its members that portion of their future annual dues attributable to the Colegio's mandatory group life insurance program. Failure to comply with this Judgment will result in an immediate

reimbursement of the funds allocated for compulsory life insurance, or an Order of Execution against the property and assets of the Colegio.

VII. How much will my judgment be?

If you do not opt out of the Damages Class, judgment will be entered in your favor in the amount of the membership dues you actually paid to the Colegio from 2002-2006 which were impermissibly attributed to the compulsory life insurance program. Those amounts impermissibly attributed to the compulsory life insurance program on an annual basis are as follows: 2002: \$2210, 2003: \$83.79, 2004: \$79.20, 2005: \$78.69, 2006: \$78.00.

If you paid the membership dues for multiple years from 2002-2006, you are entitled to the sum of the amounts impermissibly attributed to the compulsory life insurance program from each of the years that you paid the membership dues.

VIII. How are the damages determined?

The damage figures represent all funds impermissibly attributed to the compulsory life insurance program from October 2002 until December 2006, when the compulsory life insurance program was discontinued.

IX. What will happen if I do nothing?

You have already been identified as a Class Member and are entitled to a judgment in your favor in the amount of the membership dues paid by you to the Colegio from October 2002-December 2006 which were impermissibly attributed to the compulsory life insurance program. If you take no action, a judgment in that amount will be entered in your favor. Judgment in your favor means the Colegio will legally owe you a payment in that amount, plus interest.

Counsel representing the Class will pursue a collection effort on your behalf to satisfy the Judgment by the Colegio making a payment to you in the amount owed.

X. Am I giving up any rights if judgment is entered in my favor?

Unless you exclude yourself from the judgment, you will be considered a member of the Damages class, which means you give up your right to sue or continue a lawsuit against the Colegio regarding the legal issues that were raised or could have been raised in this case. Regarding the possibility of recovering additional damages, the First Circuit Court of Appeals has clearly stated that the damages award already established in this case is "seemingly the best relief imaginable."

XI. Can I exclude myself from the judgment?

You may exclude yourself from the judgment. If you exclude yourself from the judgment, you will not have judgment entered in your favor, you will not receive any money from this class action lawsuit, but you will retain the right to sue the Colegio separately, at your own expense, for any claims you might have.

XII. How do I exclude myself from the judgment?

If you wish to be excluded, you must mail a written request for exclusion to Brown v. Colegio de Abogados Administrator at: Brown v. Colegio de Abogados Administrator, P.O. Box 2439, Faribault, MN 55021-9139.

Your request for exclusion must be in writing and postmarked on or before February 26, 2011. The request must state: "I do not want to be part of the Damages Class in Brown v. Colegio de Abogados de Puerto Rico, CV 06-1645 (JP)." The request should be signed, with your name, address, and telephone number printed below your signature. The address you use should be the address to which this notice was mailed, so that you can be properly identified. You will be a

member of the Damages Class entitled to entry of judgment if a request for exclusion is not timely postmarked.

If prior to the issuance of this notice you have filed an anticipatory notice of intent to opt out with the Clerk of the U.S. District Court for the District of Puerto Rico, with the Colegio de Abogados de Puerto Rico or through CM-ECF directly, you must still re-affirm your opt out decision by following the procedures for opting out set out in this notice.

XIII. What additional rights do I have?

You, as a Class Member, may enter an appearance in this case though an attorney if you so desire.

XIV. Who represents the Class?

The attorneys who have been appointed by the Court to represent the Damages Class are: David C. Indian, Esq., Seth A. Erbe, Esq., Indiano & Williams, P.S.C., 207 Del Parque; 3rd Floor, San Juan, PR 00912, Tel: (787) 641-4545, Fax: (787) 641-4544; Andres W. Lopez, Esq., The Law Offices of Andres W. Lopez, P.S.C., 207 del Parque St., 3rd floor, San Juan, PR 00912, Tel: (787) 641-4541, Fax: (787) 641-4544.

XV. Where can I get additional information?

This notice is only a summary of the issues related to the issuance of the judgment in this case. All pleadings and documents filed in Court, may be reviewed or copied at the Clerk of Court, United States District Court for the District of Puerto Rico and United States Court of Appeals for the First Circuit. Additionally, the following opinions have been published: *Brown v. Colegio de Abogados de Puerto Rico*, 579 F. Supp. 2d 211 (D.P.R. 2008); *Brown v. Colegio de Abogados de Puerto Rico*, 613 F.3d 44 (1st Cir. 2010).

An automated telephone system has also been established to provide information regarding this notice and can be reached at 1-866-329-4703.

For information visit www.colegioalitigation.com.

Please do not call the Court about this case. Neither the Judge, nor the Clerk of Court, will be able to give you advice about this case.

Dated: 01/26/2011.

Clerk of Court, United States District Court, For the District of Puerto Rico.

□ 1040

PROPOSED CUTS TO FUNDING FOR COMMUNITY HEALTH CENTERS

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

Mr. BUTTERFIELD. Mr. Speaker, I've come to the well today to talk about what I call the insensitivity of the Republican majority as they seek to cut important domestic spending that will affect low-income and working class families in America.

Every Member of this Body, Mr. Speaker, understands that we must reduce the deficit. We understand that. We must put America on the path of fiscal responsibility. And so we don't need lectures from the Republican majority. We don't need partisanship. What we need, as the distinguished chairman of the Rules Committee said a few moments ago, we need a bipartisan solution to these great problems.

While some of the Republican solutions in H.R. 1 will certainly eliminate

ineffective programs, these cuts cannot be made arbitrarily, and they should not be made simply to make good on a political campaign promise. Many of the proposed cuts will only cost us more in the long run.

One glaring example, Mr. Speaker: Republicans want to cut \$1.3 billion from community health centers. Republicans ignore the fact that, since the start of the recession, 4 million additional Americans have lost their health insurance, which means that more and more people rely on community health centers.

When the uninsured get sick, they do one of three things. They stay home and get sicker and lose productivity, or they will go to the emergency room and leave a bill that all of us will end up paying for and the insurance companies will pay for. Or, Mr. Speaker, they can go to a community health center to receive medical care.

Under their proposal, Republicans seek to eliminate funding for 127 clinics in underserved districts across 39 states and reduce services at another 1,096 community health centers nationwide. That is absolutely awful.

This cut would have devastating effects on the communities and patients who most need access to care: Patients with diabetes, and heart disease, and HIV/AIDS; pregnant women; and children, leaving them nowhere to turn for health care.

Under these cuts, more than 2.8 million people would likely lose access to their current primary care provider, and over 5,000 health center staff could lose their jobs.

The President's 2012 budget proposal, by contrast, builds on the health care reform law by boosting investment in health centers. The budget includes \$3.3 billion for the health centers program, including \$1.2 billion in mandatory funding provided through the Affordable Care Community Health Center Fund.

Mr. Speaker, I represent many poor rural communities in eastern North Carolina with many constituents who depend on community health centers, and I know how deeply these cuts will be felt. As we struggle with this difficult economy and struggle with difficult fiscal issues, we have an even greater responsibility, to protect our most vulnerable citizens, especially when it comes to access to health care.

Community health centers are cutting costs. They are continuing to serve our communities extremely well, and they need and they deserve congressional support.

I urge my colleagues to support worthwhile investment in community health centers and reject the unwise cuts in H.R. 1.

REPUBLICANS' IRRESPONSIBLE SPENDING BILL

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

Mr. TONKO. Mr. Speaker, I rise today in strong opposition to the Republican spending bill currently before this House. This bill fails to create jobs, deeply hurts our families and seniors, and responds with extremes at a time when our fragile economy can least afford it.

I am committed to a budget that lives within our means while investing in the future and cutting our deficit. However, this irresponsible Republican spending bill hampers job creation and jeopardizes investments in American innovation, American education, and American infrastructure.

That is why President Obama vowed today to veto the irresponsible Republican spending bill because it undermines critical priorities for national security and curtails the drivers of long-term economic growth and job creation.

We must do more to focus on jobs, grow the economy, and protect our middle class, certainly, while responsibly tackling our Nation's debt and deficit. That is why I've offered 8 amendments to this bill which will protect seniors, protect energy innovation, strengthen our children's education, and most importantly, will protect and grow jobs as the fragile economy slowly recovers. We simply cannot afford to pull the rug out from underneath progress, not now, not when we are finally rebounding from the Bush recession, not with the extreme spending bill this represents.

I refuse to take America back to the failed policies that sunk our economy. My first two amendments would restore funding from the cuts to the Social Security Administration to prevent its shutdown. The cuts that the irresponsible Republican spending bill propose in this section alone would raid \$625 million from the Social Security Administration. This would affect the 53 million Americans who are collecting Social Security by furloughing every employee and closing the doors for a month or more. An estimated 400,000 people, mostly seniors, would not have their claims processed this year, creating a huge backlog and threatening the timely payment of benefits.

My amendments would restore this funding because I do not believe we should use our Nation's seniors that have worked hard and played by the rules their whole lives to somehow painfully balance our budget. This is simply extreme and, again, painfully irresponsible.

The Low Income Home Energy Assistance Program, or LIHEAP, is also cut in this irresponsible Republican spending plan by some nearly \$400 million. Those are cuts that are made on the backs of the low-income residents, seniors, the disabled, and those with children like those I represent in the now cold and snowy Capital region of New York, who struggle to pay to keep the thermostat set at a livable level. LIHEAP keeps those receiving help