

Attempts to eradicate today's racial discrimination and disparities will be successful when we understand the past's racial injustices and inequities. A commission can take us into this dark past and bring us into a brighter future. As in years past, I welcome open and constructive discourse on H.R. 40 and the creation of this commission in the 113th Congress.

**THE ILLEGAL, UNREPORTED, AND UNREGULATED FISHING ENFORCEMENT ACT OF 2013**

**HON. MADELEINE Z. BORDALLO**

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

*Thursday, January 3, 2013*

Ms. BORDALLO. Mr. Speaker, today I reintroduce legislation to strengthen enforcement mechanisms to stop illegal, unreported, and unregulated (IUU) fishing. Illegal fishing threatens the economic and social infrastructure of fishing communities, and the security of the United States and our allies around the world, by decreasing opportunities for legitimate and conscientious fishermen.

Guam, and the other Pacific islands, host rich fisheries resources, including pristine reefs, diverse communities of reef fish, and large populations of sharks and valuable tuna; important economic and cultural assets for the islands. IUU fishing threatens these resources. There have been several incidents of foreign fishing vessels operating within the United States' EEZ with impunity—a significant national security and economic risk to our country.

This problem can be particularly acute in places like Guam, where the EEZ is vast, and where the United States Coast Guard, despite its best efforts, has insufficient resources to patrol all of our waters. The United States' Pacific lands represent 43% of the EEZ. Our focus should be on the posture of our Coast Guard in the Asia-Pacific region. The Navy and Coast Guard have recognized the economic and security threats posed by illegal fishing in Oceania and it is incumbent on the Administration and Congress to put resources towards these requirements.

The loss of economic opportunity weakens our allies in the Pacific and strengthens resource conflicts in the region. Recent reports have documented that IUU fishing accounts for between 10 and 22% of the reported global fish catch, or \$9–24 billion in gross revenues each year (MRAG, 2009, Sumaila et al., 2006 and Agnew et al., 2009). The Coast Guard estimates that over \$1.7 billion is lost annually to IUU fishing in the Pacific Islands. Additional action is needed from Congress if we are to be successful in combating IUU fishing and the depletion of fish stocks worldwide. This bill will help to provide our Coast Guard with the tools to better enforce regulations throughout the sector.

The "Illegal, Unreported, Unregulated Fishing Enforcement Enhancement Act of 2013," which I introduced today, further enhances the enforcement authority of NOAA and the U.S. Coast Guard to regulate IUU fishing. This bill would amend international and regional fishery management organization (RFMO) agreements to incorporate the civil penalties, permit sanctions, criminal offenses, civil forfeitures

and enforcement sections of the Magnuson-Stevens Fishery Conservation and Management Act. It would strengthen enforcement authority of NOAA and the U.S. Coast Guard to inspect conveyances, facilities, and records involving the storage, processing, transport and trade of fish and fish products, and to detain fish and fish products for up to five days while an investigation is ongoing.

In addition, this bill makes technical adjustments allowing NOAA to more effectively carry out current IUU identification mandates, including extending the duration of time for identification of violators from the preceding two years to the preceding three years. This bill broadens data sharing authority to enable NOAA to share information with foreign governments and clarifies that all information collected may be shared with international organizations and foreign governments for the purpose of conducting enforcement. This bill would also establish an international cooperation and assistance program to provide technical expertise to other nations to help them address IUU fishing. This bill, however, does not authorize new funding or appropriations. The bill is a cost neutral measure that would enhance our nation's security.

Finally, this bill implements the Antigua Convention, an important international agreement that provides critical updates to the principles, functions, and processes of the Inter-American Tropical Tuna Commission (IATTC) to manage fisheries in the eastern Pacific Ocean. The Antigua Convention modernizes the IATTC and increases its capacity to combat IUU fishing and illegal imports of tuna product. Without implementing legislation, the U.S. does not have the authorities necessary to satisfy its commitments under the Antigua Convention, including addressing IUU in the eastern Pacific Ocean.

Increased enforcement increases stability among our allies in the Western Pacific. Many nations depend upon fishing as a vital component of their national economy. Fishing communities are the lifeblood of Guam, part of a cultural history extending back centuries. Protecting our fishermen from illegal fishing enhances economic opportunities and protects cultural and natural resources that our communities rely upon. IUU fishermen are "free riders" who benefit unfairly from the sacrifices made by U.S. fishermen and others for the sake of proper fisheries conservation and management.

I would like to thank Reps. MARKEY, SABLAN, PIERLUISI, and CHRISTENSEN for joining me as original cosponsors and I look forward to working with my colleagues on both sides of the aisle to advance this important bill through the legislative process.

**HIGHER TAXES, MORE SPENDING:  
NOT A COMPROMISE**

**HON. DAVID B. MCKINLEY**

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, January 3, 2013*

Mr. MCKINLEY. Mr. Speaker, as Congress approached the final hours before going over the so-called "fiscal cliff," the House was faced with a difficult choice. It could amend the controversial Senate plan and return it to them or the House could accept or reject it. Amending the plan was not a viable option be-

cause the Senate had refused to consider any changes. Thus it became a "take it or leave it" vote. I was elected to come to Washington to reduce the size of government and decrease spending; therefore, I voted against the flawed Senate plan.

In summary: although the legislation had certain positive attributes, the principal effect of the bill raised taxes, increased spending and only promised future spending cuts. It failed to address our long-term debt problem and looks nothing like the balanced approach promised by President Obama. America is now burdened with more than \$16 trillion of debt, and Congress has failed to cut spending that it promised the public.

Let's have a splash of reality: America is facing another \$1.2 trillion deficit for this year as it has for the past four years. This solution adopted by Congress not only does not reduce this year's deficit, but it adds to it. According to the official estimate by the Congressional Budget Office, the Senate deal includes more than \$330 billion in new deficit spending over the next decade.

Additionally, the bill calls for \$620 billion in increased tax revenues over ten years but incredibly includes only \$15 billion in spending reductions. That equates to a ratio of \$1 in spending cuts to \$41 in increased tax revenue, even though the President promised \$2.50 in spending cuts for every \$1 in new revenue during his campaign. The highly touted Simpson-Bowles Commission recommended a 3:1 ratio.

It should be self-evident that the \$60 billion in new revenue annually is woefully insufficient to pay down the deficit. Where will we find the remaining \$1.14 trillion to eliminate the deficit? We have a spending problem in Washington, not a taxing problem.

I had been willing to support a compromise that included additional, but limited, tax revenue if the plan also had included significant spending reductions and commonsense entitlement reforms. However the bill lacked that balance.

These concerns were not limited to conservatives. Senator MICHAEL BENNET (D-CO) also opposed the plan on these same grounds, saying, "We want a plan that materially reduces the deficit. This proposal does not meet that standard and does not put in place a real process to reduce the debt down the road."

In a similar statement, Chairman of the Federal Reserve Ben Bernanke called the current levels of spending "unsustainable," and cautioned that "fiscal policy must be placed on a sustainable path that eventually results in a stable or declining ratio of federal debt to GDP."

This plan does nothing to put us on that sustainable path.

Americans once again are being promised spending cuts in the future in exchange for immediate increases in taxes. We've seen this movie before—the spending cuts unfortunately never happen.

This has played out twice with similar results:

In 1982, Congress promised President Reagan \$3 in spending cuts for every \$1 in tax hikes but the spending cuts never happened.

In 1990, President George H.W. Bush reluctantly agreed to \$2 in spending cuts for every \$1 in tax increases but none of those cuts occurred either.

The frustration of this process takes its toll. The final bill was presented in the Senate in the early morning hours and hastily cobbled together. Senators had only minutes to review the legislation before voting on it. According to one Senate aide, their office was emailed a copy of the legislation at 1:36 a.m. and the vote began nine minutes later at 1:45 a.m. The Senate obviously was not given sufficient time to read the bill that was over 150 pages long.

For the Senate to agree to legislation in the wee hours of the morning without a thorough review is not how the process should work. It reminds me of the quote from NANCY PELOSI during the debate over ObamaCare when she said, "we have to pass the bill to find out what's in it."

With more time to review the bill, we found that not only does it increase taxes with almost no spending cuts, but it also includes other questionable provisions such as:

- \$12.1 billion in tax breaks for wind energy;
- \$222 million in loopholes for Puerto Rican rum producers;

- \$248 million in incentives for Hollywood studios; and

- \$62 million in tax breaks for American Samoa businesses.

America can't afford this.

As my record reflects, I have already voted to extend the Bush-era tax rates for all Americans and \$5.5 trillion in spending cuts—both of which were opposed by the Senate. I will continue to fight to maintain the lowest tax burden for middle class families and small businesses and work to stop Washington's addiction to spending.

The Senate sent us a bill that contained tax increases, no significant spending cuts, increased the federal debt and then refused to consider any changes from the House. Therefore I had no other recourse but to oppose the final plan.

I am hopeful in the coming months we can move past this end-of-year mess and turn our attention to stopping out-of-control spending. Congress needs to address the real problem facing our country—excessive government spending that will be paid for by our children and grandchildren.

#### RECOGNIZING PLEASANT HOPE HIGH SCHOOL SOFTBALL

#### HON. BILLY LONG

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Thursday, January 3, 2013*

Mr. LONG. Mr. Speaker, I rise today to recognize the Pleasant Hope High School Softball Team on their victory in the Class 2 State Championships.

The Lady Pirates' come-from-behind victory over Brookfield capped off their 28–2 season with Pleasant Hope's first ever State championship.

These young ladies ended the season as one of the greatest offensive teams in the history of Missouri. They batted an astounding .415 as a team, held an on base percentage of .456, and were successful with 95 out of 100 stolen base attempts. Their dominant play style allowed them to amass 353 hits over the course of their 30 games.

I congratulate the school and the players on their victory, and applaud the hard work that has brought them so much success. I am proud to recognize the athletic achievements of the residents of the Seventh District of Missouri.

#### INTRODUCTION OF THE "JOHN HOPE FRANKLIN TULSA-GREEN- WOOD RIOT ACCOUNTABILITY ACT"

#### HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Thursday, January 3, 2013*

Mr. CONYERS. Mr. Speaker, I am pleased to reintroduce the John Hope Franklin Tulsa-Greenwood Riot Accountability Act. This legislation will create a federal cause of action to allow the survivors of the Tulsa-Greenwood Riot of 1921 to seek a determination on the merits of their civil rights and other claims against the perpetrators of the riot in a federal court of law.

This legislation is named in honor of the late Dr. John Hope Franklin, the noted historian, who was a first-hand witness to the destructive impact that the riot had on the African-American community of Tulsa. Dr. Franklin made numerous scholarly contributions to the understanding of the long term effects of the riot on the city and worked to keep the issue alive in history and on the minds of policymakers. On April 24, 2007, he served as a witness, testifying in favor of the legislation, and its passage would be a fitting tribute to his memory and to a community that has never received its fair day in court.

The Greenwood neighborhood of Tulsa, Oklahoma, was one of the Nation's most prosperous African-American communities entering the decade of the Nineteen Twenties. Serving over 8000 residents, the community boasted two newspapers, over a dozen churches, and hundreds of African-American-owned businesses, with the commercial district known nationally as the "Negro Wall Street." In May 1921, all that came to an end as 42 square blocks of the community were burned to the ground and up to 300 of its residents were killed by a racist mob. In the wake of the violence, the State and local governments quashed claims for redress and effectively erased the incident from official memory.

The 1921 Tulsa Race Riot was one of the most destructive and costly attacks upon an American community in our Nation's history. However, no convictions were obtained for the incidents of murder, arson or larceny connected with the riot, and none of the more than 100 contemporaneously filed lawsuits by residents and property owners were successful in recovering damages from insurance companies to assist in the reconstruction of the community.

The case of the Tulsa-Greenwood Riot victims is worthy of congressional attention because substantial evidence suggests that governmental officials deputized and armed the mob and that the National Guard joined in the destruction. The report commissioned by the Oklahoma State Legislature in 1997, and published in 2001, uncovered new information and detailed, for the first time, the extent of the involvement by the State and city government in prosecuting and erasing evidence of the riot. This new evidence was crucial for the formulation of a substantial case, but its timeliness raised issues at law, and resulted in a dismissal on statute of limitation grounds. In dis-

missing the survivor's claims, however, the Court found that extraordinary circumstances might support extending the statute of limitations, but that Congress did not establish rules applicable to the case at bar. With this legislation, we have the opportunity to provide closure for a group of claimants—many over 100 years old—and to close the book on a tragic chapter in history.

Racism, and its violent manifestations, are part of our Nation's past that we cannot avoid. With the prosecution of historic civil rights claims, both civil and criminal, we encourage a process of truth and reconciliation that can heal historic wounds. In this case, the Court took "no great comfort" in finding that there was no legal avenue through which the plaintiffs could bring their claims. The "Tulsa-Greenwood Riot Accountability Act" would simply give Tulsans and all Oklahomans, white and black, victims and non-victims, their day in court. Without that opportunity, we will all continue to be victims of our past.

#### SUPPORT OF A RESOLUTION TO PERMIT DELEGATES AND THE RESIDENT COMMISSIONER TO THE CONGRESS TO CAST VOTES IN THE COMMITTEE OF THE WHOLE HOUSE ON THE STATE OF THE UNION

#### HON. MADELEINE Z. BORDALLO

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

*Thursday, January 3, 2013*

Ms. BORDALLO. Mr. Speaker, I rise today in support of the resolution offered by my good friend and colleague, Minority Whip STENY HOYER of Maryland, to restore the voting rights for the Delegates and Resident Commissioner during Committee of the Whole proceedings.

The ability to cast a vote is the most basic of rights in our representative democracy. In the people's House, votes cast by members of Congress make us accountable to our constituents and allow them to understand where we stand on important issues. The rules that have been adopted by the 113th Congress once again remove voting rights for members from the territories and the District of Columbia and continue to make this body less transparent and less responsive to the more than four million Americans who live in our districts.

These votes are wholly symbolic—they cannot change the outcome of legislation or amendments considered on the floor of this House. But these votes allow us to ensure that the needs of our constituents are addressed in legislation considered by this body.

Further, many men and women in uniform come from the territories and the District of Columbia. These dedicated servicemembers sacrifice much for our country, and many have paid the ultimate sacrifice in defense of our freedom. In fact, the per capita death rate for servicemembers from the territories is higher than most states. Unfortunately our majority has determined that despite their service, and the many contributions of the territories and District of Columbia, our constituents will be less represented in the House.

Mr. Speaker, giving the Delegates and Resident Commissioner the ability to vote during Committee of the Whole proceedings will allow our voices to be heard during legislation considered by the full House. It will give us parity with other members and strengthen the long-cherished values of this body.