

party in the House of Congress opposite of that of the Chairman shall be the ranking minority member of the Committee.

(b) In the event the House and Senate are under different party control, the Chairman and vice Chairman shall represent the majority party in their respective Houses. When the Chairman and vice Chairman represent different parties, the vice Chairman shall also fulfill the responsibilities of the ranking minority member as prescribed by these rules.

#### RULE 7.—PARLIAMENTARY QUESTIONS

Questions as to the order of business and the procedures of Committee shall in the first instance be decided by the Chairman; subject always to an appeal to the Committee.

#### RULE 8.—HEARINGS: PUBLIC ANNOUNCEMENTS AND WITNESSES

(a) The Chairman, in the case of hearings to be conducted by the Committee, shall make public announcement of the date, place and subject matter of any hearing to be conducted on any measure or matter at least one week before the commencement of that hearing unless the Committee determines that there is good cause to begin such hearing at an earlier date. In the latter event, the Chairman shall make such public announcement at the earliest possible date. The staff director of the Committee shall promptly notify the Daily Digest of the Congressional Record as soon as possible after such public announcement is made.

(b) So far as practicable, all witnesses appearing before the Committee shall file advance written statements of their proposed testimony at least 48 hours in advance of their appearance and their oral testimony shall be limited to brief summaries. Limited insertions or additional germane material will be received for the record, subject to the approval of the Chairman.

#### RULE 9.—OFFICIAL HEARING RECORD

(a) An accurate stenographic record shall be kept of all Committee proceedings and actions. Brief supplemental materials when required to clarify the transcript may be inserted in the record subject to the approval of the Chairman.

(b) Each member of the Committee shall be provided with a copy of the hearing transcript for the purpose of correcting errors of transcription and grammar, and clarifying questions or remarks. If any other person is authorized by a Committee Member to make his corrections, the staff director shall be so notified.

(c) Members who have received unanimous consent to submit written questions to witnesses shall be allowed two days within which to submit these to the staff director for transmission to the witnesses. The record may be held open for a period not to exceed two weeks awaiting the responses by witnesses.

(d) A witness may obtain a transcript copy of his testimony given at a public session or, if given at an executive session, when authorized by the Committee. Testimony received in closed hearings shall not be released or included in any report without the approval of the Committee.

#### RULE 10.—WITNESSES FOR COMMITTEE HEARINGS

(a) Selection of witnesses for Committee hearings shall be made by the Committee staff under the direction of the Chairman. A list of proposed witnesses shall be submitted to the members of the Committee for review sufficiently in advance of the hearings to permit suggestions by the Committee members to receive appropriate consideration.

(b) The Chairman shall provide adequate time for questioning of witnesses by all members, including minority Members and

the rule of germaneness shall be enforced in all hearings notified.

(c) Whenever a hearing is conducted by the Committee upon any measure or matter, the minority on the Committee shall be entitled, upon unanimous request to the Chairman before the completion of such hearings, to call witnesses selected by the minority to testify with respect to the measure or matter during at least one day of hearing thereon.

#### RULE 11.—CONFIDENTIAL INFORMATION FURNISHED TO THE COMMITTEE

The information contained in any books, papers or documents furnished to the Committee by any individual, partnership, corporation or other legal entity shall, upon the request of the individual, partnership, corporation or entity furnishing the same, be maintained in strict confidence by the members and staff of the Committee, except that any such information may be released outside of executive session of the Committee if the release thereof is effected in a manner which will not reveal the identity of such individual, partnership, corporation or entity in connection with any pending hearing or as a part of a duly authorized report of the Committee if such release is deemed essential to the performance of the functions of the Committee and is in the public interest.

#### RULE 12.—BROADCASTING OF COMMITTEE HEARINGS

The rule for broadcasting of Committee hearings shall be the same as Rule XI, clause 4, of the Rules of the House of Representatives.

#### RULE 13.—COMMITTEE REPORTS

(a) No Committee report shall be made public or transmitted to the Congress without the approval of a majority of the Committee except when Congress has adjourned: provided that any member of the Committee may make a report supplementary to or dissenting from the majority report. Such supplementary or dissenting reports should be as brief as possible.

(b) Factual reports by the Committee staff may be printed for distribution to Committee members and the public only upon authorization of the Chairman either with the approval of a majority of the Committee or with the consent of the ranking minority member.

#### RULE 14.—CONFIDENTIALITY OF COMMITTEE REPORTS

No summary of a Committee report, prediction of the contents of a report, or statement of conclusions concerning any investigation shall be made by a member of the Committee or by any staff member of the Committee prior to the issuance of a report of the Committee.

#### RULE 15.—COMMITTEE STAFF

(a) The Committee shall have a staff director, selected by the Chairman. The staff director shall be an employee of the House of Representatives or of the Senate.

(b) The Ranking Minority Member may designate an employee of the House of Representatives or of the Senate as the minority staff director.

(c) The staff director, under the general supervision of the Chairman, is authorized to deal directly with agencies of the Government and with non-Government groups and individuals on behalf of the Committee.

(d) The Chairman or staff director shall timely notify the Ranking Minority Member or the minority staff director of decisions made on behalf of the Committee.

#### RULE 16.—COMMITTEE CHAIRMAN

The Chairman of the Committee may establish such other procedures and take such actions as may be necessary to carry out the foregoing rules or to facilitate the effective

operation of the Committee. Specifically, the Chairman is authorized, during the interim periods between meetings of the Committee, to act on all requests submitted by any executive department, independent agency, temporary or permanent commissions and committees of the Federal Government, the Government Printing Office and any other Federal entity, pursuant to the requirements of applicable Federal law and regulations.

## AMERICA INVENTS ACT

SPEECH OF

### HON. CHRIS VAN HOLLEN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 22, 2011

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 1249) to amend title 35, United States Code, to provide for patent reform:

Mr. VAN HOLLEN. Madam Chair, America's patent system and the protection of intellectual property is an important source of innovation and national strength for our country. For that reason, any patent reform proposal must be judged based on its ability to improve patent quality, reduce the current backlog and provide patent holders greater certainty with respect to their patent rights. On that score, I believe the America Invents Act, on balance, achieves that objective.

In particular, our office received a number of calls regarding the proposed change to a first-inventor-to-file system. A variety of stakeholders—from the U.S. Patent Office to large multinational companies to biotech firms and angel investors in my district to the academic research community to independent inventors on both sides of this issue—weighed in with their respective points of view. In the final analysis, I concluded that the first-inventor-to-file standard in today's legislation will provide greater certainty for innovators, produce stronger patents and enhance our nation's economic competitiveness.

## INTRODUCTION OF THE ELECTRONIC DEVICE RECYCLING RESEARCH AND DEVELOPMENT ACT OF 2011

### HON. JOHN P. SARBANES

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Friday, June 24, 2011

Mr. SARBANES. Mr. Speaker, I rise today to introduce the Electronic Device Recycling Research and Development Act of 2011. Electronic devices—computers, printers, cameras, mobile phones and other technology—comprise the fastest-growing share of our solid waste. These discarded electronic devices fill our landfills and leak toxic chemicals into our soil and groundwater. The most toxic components of these devices are exported in bulk to the developing world where they can be dumped without the safety measures imposed by U.S. environmental laws.

This so called E-waste also contains a high concentration of raw materials that can be reprocessed and reused by American manufacturers. The largest domestic supply of certain

rare materials critical to the manufacture of electronic devices is found in many municipal landfills. Yet our patchwork system of state laws and regulations, coupled with inaction by the federal government, has acted as a deterrent to manufacturers looking to reclaim these raw materials—the vast majority of which are currently imported from China. This dependence on foreign raw materials by American manufacturers also reveals a major vulnerability to our industrial supply chain—exposing our domestic economy to the volatility of foreign commodities markets and the whims of foreign governments.

Additional research and development is required in recycling technologies so we can more efficiently sort and process materials. To make recycling easier, products should avoid environmentally sensitive materials and enable re-use or extended use of electronic devices. For consumers, we need to make it easier to recycle and re-use electronics.

The Electronic Device Recycling Research and Development Act seeks to address these critical challenges by:

Authorizing the Environmental Protection Agency, EPA, to award grants to reduce the environmental impact of discarded electronic devices and promote the recycling of these devices through research and development projects;

Requiring National Academy of Sciences to conduct a study on opportunities for and barriers to the recycling of discarded electronic devices; and

Authorizing EPA to award grants to colleges and universities for curriculum development in the areas of recycling electronic devices and enabling green design.

This legislation was introduced in the previous Congress by former Congressman Bart Gordon, the Chairman of the House Committee on Science, Space and Technology, and passed the House of Representatives by voice vote. It is my hope that this common-sense legislation will continue to receive strong bipartisan support. It has the strong backing of environmental advocacy groups and industry, including Best Buy and the Electronics Takeback Coalition—a diverse coalition comprised of more than two dozen national and local environmental, public health and public interest organizations.

This is a green jobs bill. From auto parts to solar voltaic panels, the energy and resource-intensive manufacturing processes that drive our modern economy will benefit from expanded research and development focused on the lifecycle of electronic devices. By giving manufacturers the tools, training and resources to sustainably manufacture electronic devices, this legislation will create jobs, protect the environment and improve public health.

A TRIBUTE TO COLONEL DAVID  
SCHROEDER

**HON. TOM LATHAM**

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

*Friday, June 24, 2011*

Mr. LATHAM. Mr. Speaker, I rise today to recognize and congratulate native Iowan Colonel David Schroeder of the United States Air Force on his illustrious 34 year military career that will be coming to a close later this year.

Colonel Schroeder began his military career in October of 1977 when he enlisted as a Staff Support Administrative Specialist at the rank of E-1. After three years he enlisted as an air traffic controller before earning his commission as an Officer Air Traffic Controller in 1987.

Colonel Schroeder has most recently been serving in the Office of the Secretary of Defense on the staff of the Deputy Assistant Secretary of Defense for European and NATO Policy as the Country Director for the Baltic nations of Estonia, Latvia, and Lithuania. The colonel was a driving force in garnering an agreement from these nations to increase their monetary support to the NATO Air Policing program to provide continued military defense of their national territorial skies.

Mr. Speaker, our country owes Colonel Schroeder a great debt of gratitude for his decades of service. Colonel Schroeder's unwavering commitment to serving his fellow Americans embodies the Iowa spirit and I know all of my colleagues in the United States House of Representatives will join me in wishing him a well deserved and fulfilling retirement. I wish him the best of luck in his future endeavors as he begins this new chapter in his life.

RECOGNIZING THE SERVICE AND  
RETIREMENT OF COLONEL  
KEITH LANDRY

**HON. GEOFF DAVIS**

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

*Friday, June 24, 2011*

Mr. DAVIS of Kentucky. Mr. Speaker, I rise today to honor COL Keith A. Landry, the Commander and District Engineer for the Louisville District Army Corps of Engineers. After nearly 2 years of serving in this post, Colonel Landry will be retiring on July 14, 2011.

Colonel Landry received his commission as a 2nd Lieutenant in the Corps of Engineers in 1985 after graduating from our shared alma mater, the United States Military Academy at West Point. He has since completed five overseas tours, including deployments with the 3rd Infantry Division during Operation Iraqi Freedom and two tours of duty teaching at the United States Military Academy.

During his tenure as the Commander for the Louisville District Army Corps of Engineers, Colonel Landry oversaw all military construction in Michigan, Illinois, Indiana, Ohio, Kentucky and Tennessee. His work has had a tremendous impact on the mission readiness capabilities and quality of life of soldiers and airmen across the nation.

Today, as we celebrate a distinguished career spanning 26 years, I am pleased Colonel Landry has decided to remain in the great Commonwealth of Kentucky and I am certain he will approach his future endeavors with the same level of excellence in service we have come to expect from him.

Mr. Speaker, I ask the House to join me in commending COL Keith Landry and in offering him our sincerest thanks for his incredible service to our country and the Commonwealth of Kentucky.

ELECTION ASSISTANCE  
COMMISSION

**HON. KATHY CASTOR**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Friday, June 24, 2011*

Ms. CASTOR of Florida. Mr. Speaker, I rise in strong opposition of any effort to eliminate the Election Assistance Commission. Elimination of the EAC appears to be part of the GOP's nationwide assault on voters' rights, and will exacerbate the current issues we face in federal elections. With a number of states adopting new voter Registration and ID laws that will restrict and suppress votes, this is the wrong time to eliminate an agency that seeks to avoid the problems we faced during the 2000 election in the state of Florida. The EAC is necessary in order to ensure the fairness and integrity of federal elections.

Now, more than ever, we need an agency like the EAC, so that we can ensure that our democracy functions freely and fairly. The EAC is an independent, bipartisan agency that carries out grant programs, provides for testing and certification of voting systems, studies election issues, and assists local and state election officials by issuing guidelines and other important information to help them comply with the Help America Vote Act (HAVA) requirements.

The EAC is composed of experts who are former state and local election officials and familiar with the challenges of election administration. The federal government should not eliminate the information gathering, information sharing and advisory role of the Election Assistance Commission. These functions have been crucial at improving federal elections, and should be strengthened rather than eliminated.

Like many other states around the country, the Florida legislature has moved in a dangerous direction to curtail voter's rights, and we will need the EAC come 2012 when we see the sad consequences of restrictive voting laws. The new Florida law makes it difficult for those who recently moved between counties to cast their votes. The new law also limits voting accessibility by shortening the window for early voting from 14 days to 6 days. This will make it even more difficult for working Floridians and elderly voters, resulting in longer lines at the polls on Election Day. Lastly, the new law negatively impacts voter registration efforts in Florida by limiting the ability of third party groups to effectively register legitimate new voters. The EAC works with all of these issues, and if we eliminate it today, we will face serious challenges in the 2012 election as we seek to resolve the problems that may ultimately arise as a result of new election laws like we have in Florida.

This bill would transfer EAC duties to the FEC, which is already overburdened. The FEC says they need more resources to absorb the EAC's duties. Other costs would simply shift to already overburdened state governments. The FEC does not have the capability or the expertise to successfully administer the certification program that is currently implemented by the EAC.

The EAC creates national standards for improving accessibility for all Americans. Local and State officials still struggle to ensure accessible elections for all. For instance, a GAO