

Kitzmiller has participated in multiple overseas deployments including Operation Northern Watch (Macedonia), Operation Southern Watch (Saudi Arabia), Operation Iraqi Freedom (Kuwait, Baghdad, and twice in Balad), and Operation Enduring Freedom. She also is very active improving her local community and volunteers with the Tennessee Drug Task Force Team and YMCA, serving as a drill instructor during summer camps for troubled youth. She has spent countless hours volunteering with Military Kids Support Programs and Homeless Veterans Associations helping veterans find shelter and employment.

Master Sgt. Kitzmiller hails from Springfield, Tenn., and is currently studying at Austin Peay State University working toward her bachelor's degree. She attended Dickson County High School and left for Navy basic training 10 days after graduation. Upon discharge 4 years later, she joined the Army Reserve, served in several units before transferring to the Tennessee Army National Guard, and then finally to the State's Air National Guard. In December 2005, she was selected as a First Sergeant, fulfilling a dream to follow in her father's footsteps.

Tennessee is very proud of the accomplishments and service of Master Sgt. Lorene Kitzmiller and I proudly recognize her today in the U.S. House of Representatives. Individuals like Kitzmiller continue to give the United States military a reputation of excellence and commitment to their State and their Nation while at home or deployed around the world. On behalf of the great State of Tennessee, I honor Master Sgt. Lorene Kitzmiller for her accomplishments and dedication to Tennessee and the United States of America.

RESTORING CONFIDENCE IN  
ABSENTEE VOTING

**HON. CANDICE S. MILLER**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 29, 2009*

Mrs. MILLER of Michigan. Madam Speaker, before I came to Congress, I had the privilege of serving 8 years as Michigan's Secretary of State. In that job, one of my key responsibilities was to serve as the state's Chief Elections Officer. During my tenure, we made great strides in improving the accuracy and security of the elections system in our state.

However, as any former or current Secretary of State can tell you, one of the greatest challenges you have is convincing non-voters—those who are eligible to vote, and may be registered, but fail to participate in the electoral process. One of the common challenges in changing the views of these citizens is countering the belief that the system doesn't work either due to corruption or negligence or some other issue. So, these citizens fail to exercise their Constitutionally-given rights to choose their government, and they don't vote.

As elected officials, we need to take whatever measures we can to increase the public's confidence in the voting system. One of the greatest achievements of my tenure as Secretary of State was the creation of the Qualified Voter File, which provided for easy determination of who is and is not a registered voter. In fact, the Ford-Carter Commission on Federal Election Reform cited Michigan as a national model in this area. This device was

critical to ensuring that we have full voter participation and that no one is needlessly disenfranchised.

Absentee ballots, historically, have been an area that has contributed to this perception. Many have seen these ballots as ripe for corruption and many voters are unsure what happens with their ballots after they mail them in. The bill we are considering today will go a long way towards correcting these perceptions.

H.R. 2510, the Absentee Ballot Track Receive and Confirm Act, authorizes grants to states that choose to establish procedures to track absentee mail-in ballots. These systems would allow voters to find out for themselves the status of their absentee ballot. Voters will now be able to determine when their ballot should arrive, if the elections office received it and whether it was counted.

Additionally, this measure protects the secrecy of the ballot by only marking the outside ballot envelopes. No other information about the voter or how that vote was cast will be recorded.

The right to vote is one of the most cherished rights that we have as citizens. This measure will reduce the potential for fraud and restore confidence in absentee voting among the public. Furthermore, absentee voters will gain the knowledge that their vote has been counted and they are not being disenfranchised through the process.

I urge my colleagues to support the measure.

INTRODUCING HEALTH FREEDOM  
LEGISLATION

**HON. RON PAUL**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 29, 2009*

Mr. PAUL. Madam Speaker, I rise to introduce two pieces of legislation restoring the First Amendment rights of consumers to receive truthful information regarding the benefits of foods and dietary supplements. The first bill, the Health Freedom Act, codifies the First Amendment by ending the Food and Drug Administration (FDA)'s efforts to censor truthful health claims. The second bill, the Freedom of Health Speech Act, codifies the First and Fifth Amendment by requiring the Federal Trade Commission (FTC) to prove that health claims are false before it takes action to stop manufacturers and marketers from making the claims.

The American people have made it clear they do not want the federal government to interfere with their access to dietary supplements, yet the FDA and the FTC continue to engage in heavy-handed attempts to restrict such access. The FDA continues to frustrate consumers' efforts to learn how they can improve their health even after Congress, responding to a record number of constituents' comments, passed the Dietary Supplement and Health and Education Act of 1994 (DSHEA). FDA bureaucrats are so determined to frustrate consumers' access to truthful information that they are even evading their duty to comply with four federal court decisions vindicating consumers' First Amendment rights to discover the health benefits of foods and dietary supplements.

FDA bureaucrats have even refused to abide by the DSHEA section allowing the public to have access to scientific articles and publications regarding the role of nutrients in treating diseases by claiming that every article concerning this topic is evidence of intent to sell an unapproved and unlawful drug.

Because of the FDA's censorship of truthful health claims, millions of Americans may suffer with diseases and other health care problems they may have avoided by using dietary supplements. For example, the FDA prohibited consumers from learning how folic acid reduces the risk of neural tube defects for four years after the Centers for Disease Control and Prevention recommended every woman of childbearing age take folic acid supplements to reduce neural tube defects. This FDA action contributed to an estimated 10,000 cases of preventable neural tube defects.

The FDA also continues to prohibit consumers from learning about the scientific evidence that glucosamine and chondroitin sulfate are effective in the treatment of osteoarthritis; that omega-3 fatty acids may reduce the risk of sudden death heart attack; that calcium may reduce the risk of bone fractures; and that vitamin D may reduce the risk of osteoporosis, hypertension, and cancer.

The Health Freedom Act will force the FDA to at last comply with the commands of Congress, the First Amendment, numerous federal courts, and the American people by codifying the First Amendment prohibition on prior restraint. Specifically, the Health Freedom Act stops the FDA from censoring truthful claims about the curative, mitigative, or preventative effects of dietary supplements. The Health Freedom Act also stops the FDA from prohibiting the distribution of scientific articles and publications regarding the role of nutrients in protecting against disease. The FDA has proven that it cannot be trusted to protect consumers' rights to make informed choices. It is time for Congress to stop the FDA from censoring truthful health information.

The Freedom of Health Speech Act addresses the FTC's violations of the First Amendment. Under traditional constitutional standards, the federal government bears the burden of proving an advertising statement false before censoring that statement. However, the FTC shifted the burden of proof to industry. The FTC presumes health advertising is false and compels private parties to prove the ads (and everything the regulators say the ads imply) to be true to a near conclusive degree. This violation of the First and Fifth Amendments is harming consumers' by blocking innovation in the health foods and dietary supplement marketplace.

The Freedom of Health Speech Act requires that the government actually prove that speech is false before the FTC acts against the speaker. This is how it should be in a free society where information flows freely in order to foster the continuous improvement that benefits us all. The bill also requires that the FTC warn parties that their advertising is false and give them a chance to correct their mistakes before the FTC censors the claim and imposes other punishments.

Madam Speaker, if we are serious about putting people in charge of their health care, then shouldn't we stop federal bureaucrats from preventing Americans from learning about simple ways to improve their health. I therefore call on my colleagues to stand up for

good health and the Constitution by cosponsoring the Health Freedom Act and the Freedom of Health Speech Act.

DEPARTMENTS OF LABOR,  
HEALTH AND HUMAN SERVICES,  
AND EDUCATION, AND RELATED  
AGENCIES APPROPRIATIONS  
ACT, 2010

SPEECH OF

**HON. PATRICK J. KENNEDY**

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

*Friday, July 24, 2009*

The House in Committee of the Whole House on the State of the Union had under consideration of the bill (H.R. 3293) making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2010, and for other purposes:

Mr. KENNEDY. Mr. Chair, I want to commend your hard work on this bill which shows our strong commitment to America's children, seniors, families, and others in most need.

In particular, I want to thank the Chairman for increasing funding for the NIH, CDC and SAMHSA.

When it comes to medical research the bill moves our nation forward. It provides \$500 million over the President's Budget for the National Institutes of Health so that NIH can get us closer to the cures that we all wait for.

When it comes to addressing our national security from the H1N1 virus it moves our nation forward. The bill gives \$545 million total for critical pandemic flu activities at NIH, CDC and the Office of the Secretary.

When it comes to public and preventative health the bill moves our nation forward. It provides increases to health professions and nursing education, which have been starved in recent years. This year instead, we will be able to train the doctors, nurses, and other health professionals the country needs to ensure that more people get quality health care.

When it comes to mental health and substance abuse services the bill moves us forward. In particular, I want to commend the new initiative funded by the Chairman in SAMHSA regarding the effects of the economic downturn on mental health. There is \$5 million provided for a Community Resilience Initiative.

Nowhere are our economic hard times felt more than in Rhode Island, where we have over twelve percent (12%) unemployment and a state in budget crisis. This new initiative will help workers across the nation and in my state, to better cope with the stress this economy is placing on them.

I also would like to commend the Chairman for his commitment to funding the Senator Edward M. Kennedy Serve America Act. Named after my father, the senior Senator from Massachusetts, this bill provides the public and volunteer service roadmap for the Twenty-first Century, much like my uncle's call to service over 40 years ago.

Named after a steadfast leader of so many of the programs that are funded in this bill, from vocational education to AmeriCorps, from NIH research to the Corporation for National and Community Service, it is only fitting that

funding for the Senator Edward M. Kennedy Institute for the Senate be included in this Labor, HHS, Education and Related Agencies Appropriations bill. I thank the Chairman for his support for what will be a part of a tremendous legacy.

Again, I want to thank the Gentleman from Wisconsin and his staff, for their unwavering commitment to the vital programs in this bill.

EARMARK DECLARATION

**HON. SPENCER BACHUS**

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 29, 2009*

Mr. BACHUS. Madam Speaker, pursuant to the Republican Leadership standards on earmarks, I am submitting the following information regarding funding that I requested as part of H.R. 3326—Department of Defense Appropriations Act, 2010.

Requesting Member: Congressman SPENCER BACHUS

Bill Number: H.R. 3326—Department of Defense Appropriations Act, 2010

Account: Research, Development, Test and Evaluation, Army

Legal Name of Requesting Entity: Southern Research Institution

Address of Requesting Entity: 757 Tom Martin Drive, Birmingham, AL 35211

Description of Request: Provide \$3,000,000 to provide a needed testbed platform for evaluation of advanced sensor technologies in a cost-effective and countermeasure development for threat systems. The Captive Carry Sensor Testbed addresses the unfunded requirement for enhancing weapon system effectiveness through the development and integration of a UAV-based captive carry sensor testbed and characterization of realistic flight conditions. The project's total budget is \$4,000,000. Specifically within the budget, \$600,000 will go toward system procurement, \$200,000 will go toward system integration, \$1,500,000 will go to an Alabama subcontractor for software and systems, \$900,000 will go toward SRI Program Management, and \$800,000 will go toward Army project management and administration. This request is consistent with the intended and authorized purpose of the Research, Development, Test and Evaluation, Army Account. The Southern Research Institute will meet or exceed all statutory requirements for matching funds where applicable.

Requesting Member: Congressman SPENCER BACHUS

Bill Number: H.R. 3326—Department of Defense Appropriations Act, 2010

Account: Research, Development, Test and Evaluation, Army

Legal Name of Requesting Entity: University of Alabama at Birmingham

Address of Requesting Entity: 1802 6th Avenue South, Birmingham, AL 35249

Description of Request: Provide \$1,500,000 for development of a medical training simulation using a supercomputer based, immersive virtual environment to train military personnel in medical skills. The simulation will focus on combat search and rescue, mass casualty, confined space, and other challenging environments and scenarios to enhance training. The training simulation capability would allow mili-

tary personnel to quickly and cost effectively adapt, train, and develop responses for a variety of emerging threats and emergencies. The project's total budget is \$3,837,000. Specifically within the budget, \$1,500,000 will go toward personnel, \$1,200,000 will go toward IT equipment, \$200,000 will go toward software, \$75,000 will go toward administrative expenses, \$25,000 will go toward travel, and \$837,000 will go toward indirect costs. This request is consistent with the intended and authorized purpose of the Research, Development, Test and Evaluation, Army Account. The University of Alabama at Birmingham will meet or exceed all statutory requirements for matching funds where applicable.

Requesting Member: Congressman SPENCER BACHUS

Bill Number: H.R. 3326—Department of Defense Appropriations Act, 2010

Account: Research, Development, Test and Evaluation, Army

Legal Name of Requesting Entity: Auburn University

Address of Requesting Entity: 202 Samford Hall, Auburn University, AL 36849

Description of Request: Provide \$1,500,000 to develop and demonstrate logistical fuel processor-fuel cell combinations that operate at significantly higher efficiencies than currently used by the Army. System improvements include: overall efficiency, fuel flexibility, activity maintenance and poison tolerance of the various catalysts, startup/shutdown timescales, process strength, reliability, safety, thermal/acoustic signature and integration, and reductions in overall weight and volume. This project directly supports the war fighting capabilities of the entire U.S. military. Moreover, it focuses on more efficient power generation from readily available existing fuels, and develops and underpins dual use technologies critical to the energy security of the U.S. The project's total budget is \$6,970,000. Specifically within the budget, \$2,230,000 will go toward Auburn personnel costs, \$1,200,000 will go toward research expense and supplies, \$900,000 will go toward supplies, \$1,090,000 will go to a subcontractor, \$300,000 will go to Anniston Army Depot for tech support for Army vehicle retrofits, and \$1,250,000 will go toward Army project management and administration. This request is consistent with the intended and authorized purpose of the Research, Development, Test and Evaluation, Army Account. Auburn University will meet or exceed all statutory requirements for matching funds where applicable.

Requesting Member: Congressman SPENCER BACHUS

Bill Number: H.R. 3326—Department of Defense Appropriations Act, 2010

Account: Research, Development, Test and Evaluation, Army

Legal Name of Requesting Entity: University of Alabama at Birmingham

Address of Requesting Entity: 1530 3rd Avenue South, AB 720E, Birmingham, AL 35294

Description of Request: Provide \$1,500,000 to focus on rapid development and application insertion of emerging design, materials, and manufacturing technologies to provide solution options for many important military needs. Particular research projects will focus on encapsulated-ceramic armor using metallic thermoplastic matrices, metal matrix composites, modeling of casting and deformation processing for non-ferrous and ferrous alloys, and