

*Government Control Over Compensation Sets A Dangerous Precedent.* The Center also opposes Section 4 of the legislation and believes it should be removed in favor of a principles-based approach to mitigating excessive risk in incentives. Section 4 would give the Federal banking regulatory agencies the extraordinary authority to prohibit pay structures and arrangements for executives and individuals as well as pass judgment on specific compensation arrangements. Because the impact of different pay structures will have different effects based on the risk profile of the organization, the time horizon of the products or services sold and other considerations, banning all pay structures across the entire industry is likely to have significant unintended consequences and sets a dangerous precedent for federal regulation of compensation in other contexts.

We are also concerned that the proposed disclosure will result in a one-size-fits-all approach to compensation. There are six regulators responsible for developing and implementing the prohibitions and acceptable practices required in the bill. So far, they have not been able to agree on their respective responsibilities under the forthcoming regulatory restructuring. With this in mind, it is likely that in order to come to agreement on the pay practices that should be banned, the regulators will need to adopt a standardized approach to acceptable executive compensation arrangements and therefore mute the ability of companies to set forth a reasoned and reasonable approach to pay for performance.

The Center fully supports the mitigation of risk in incentives, as articulated in the attached checklist for compensation committees. The Center believes that mitigating risk is a matter of balance on a number of fronts, including balance among the type of metrics measuring performance, balance between short- and long-term compensation and balance in ensuring incentives focus on the time horizon of risk. These are decisions best made by the Board Compensation Committee and disclosed in the annual proxy statement. As you know, the SEC is in the process of enhancing its disclosures of excessive risk in incentives for employees and executives that covers all employers.

Finally, it is worth noting that previous well-intended Congressional attempts to regulate amounts or structures of compensation have typically backfired—increasing compensation or changing practices in unforeseen ways contrary to the intent of the restrictions. A good example is the executive compensation restrictions included in the American Recovery and Reinvestment Act, which encourage greater salaries, rather than a careful pay for performance orientation. Because H.R. 3269 has been available for only one week, we believe that more time is warranted to give the Committee and interested parties an opportunity to fully analyze and discuss the potential for harmful unintended consequences.

Thank you for your consideration of our views. We look forward to working with you on this and other legislation.

Sincerely yours,

TIMOTHY J. BARTL,  
Senior Vice President and General Counsel.

HONORING TOM AND DAVE  
SCHOETTTLER

HON. GEORGE RADANOVICH

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 9, 2009

Mr. RADANOVICH. Madam Speaker, I rise today to commend and congratulate Tom and

Dave Schoettler upon being named by the Madera District Chamber of Commerce as a 2009 Lifetime Achievement Award Honorees. They will be recognized on Wednesday, August 26, 2009 at the Fifth Annual Lifetime Achievement Awards and Installation Dinner.

Tom was born in Glendale, California and Dave was born in Fresno, California to Hal and Loretta Schoettler. They are two of six children; they were business partners, allies and friends. They both attended Madera High School and participated in athletics; Tom graduated in 1950 and Dave graduated in 1951.

During high school Tom began working for his father at Schoettler Tire; this is where he met his future wife, Ila. He joined the United States Navy after high school and was stationed at Camp Pendleton. Tom was recognized with the Honor Man of Unit Award while in the Navy. He served as a Dental Technician and considered a dental career; however when he exited the Navy, his father needed him at the store. Tom went back to work at Schoettler Tire and is still working there today.

After high school, Dave attended the University of California, Berkeley. He received a Bachelor's Degree in Business and was a member of the Reserve Officers' Training Corps. Dave married his wife, Dwyann and he entered the United States Air Force. He served as Captain of the B-47 Bomber squadron. Dave and Dwyann were stationed in Homestead, Florida. Upon fulfilling his duty with the Air Force, he returned to central California to own and operate a tire business in Coalinga and on the central coast.

In 1974 Tom and Dave became partners in Schoettler Tire of Madera. The business, currently in the third generation on family partnership, has changed locations a few times but it is still family owned and operated. Dave and Tom operated Schoettler Tire for thirty-four years focusing on the values that were instilled in them by their father: integrity, honesty and loyalty. These values led Schoettler Tire to not only be the largest tire company in the area, but a leader in the industry for excellence in customer service.

Tom and Dave have been active in the community. Tom is a member of the American Legion, Italian American Club, St. Joachim's Church, Boy Scouts and the Knights of Columbus, where he served as Grand Knight. For his service he has been recognized by Heartland Opportunity. Dave served on the National Board of Tire Companies, was a member of Madera Elks, served as President of Phi Kappa Tau and was an alumnus of UC Berkeley. Schoettler Tire actively supports and is a member of the Madera Chamber of Commerce and has received numerous awards in the tire industry for sales and customer service. Beyond the time that both men have given to the community, they have also both been financially generous to many local clubs and organizations.

Tom and Ila have been married for fifty-six years. They have five sons, twenty grandchildren and nine great-grandchildren. Dave and Dwyann had been married for fifty years when Dave passed away in 2008. They have two sons, a daughter and six grandchildren.

Madam Speaker, I rise today to commend and congratulate Tom and Dave Schoettler upon being honored as the Madera Chamber of Commerce 2009 Lifetime Achievement Award Honoree. I invite my colleagues to join me in wishing Tom and Dave's family many years of continued success.

## EARMARK DECLARATION

HON. FRANK D. LUCAS

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 9, 2009

Mr. LUCAS. Madam Speaker, pursuant to the Republican Leadership standards on earmarks, I am submitting the following information regarding earmarks I received as part of H.R. 2647, the National Defense Authorization Act for Fiscal Year 2010. The ASSET program develops, tests, and transfers cost-effective logistics support technologies to reduce the costs associated with support of aging weapon systems and aircraft. The program addresses DOD needs for procuring replacement parts for aging systems and aircraft, and helps DOD confront problems associated with corrosion.

## EARMARK DECLARATION

HON. DUNCAN HUNTER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 9, 2009

Mr. HUNTER. Madam Speaker, pursuant to the Republican Leadership standards on earmarks, I am submitting the following information regarding earmarks I received as part of H.R. 3226, Department of Defense Appropriations Act, 2010:

I received \$3,000,000 for Trex Enterprises at 10455 Pacific Center Court, San Diego, CA 92121. Funding for this program will be used to complete development, flight testing and integration of the Brownout MMW Sensor that will reduce aircraft accident risk and allow aircrew visibility through the full range of landing and take-off operations in otherwise extremely hazardous flight conditions. "Brownout" is a situation Army aviators experience in combat operations daily in Iraq and Afghanistan. Created by helicopter rotor downwash, it continues to cause aircraft accidents and remains a high risk to flight safety.

Specifically, as aircraft approach the ground, a thick plume of brown desert dust, dirt and sand disturbed by high velocity winds from rotor systems engulf the aircraft, causing a complete loss of the pilot's visual reference to the ground. The Brownout Situational Awareness Sensor, BSAS, is a cockpit display system capable of providing the aircrew visibility through the blowing sand and dust. This technology will greatly reduce the loss of aviator lives, loss of aircraft and reduce the amount of maintenance requirements resulting in damages from Brownout situations. Brownout is among the biggest hazards to rotary-wing operations in Iraq and Afghanistan, contributing to more than 71 U.S. helicopter accidents. Providing this capability is critical to aircrew safety and combat readiness.

I also received \$2,000,000 for CHI Systems at 12860 Danielson Court, Suite A, Poway, CA 92064. There is currently insufficient training provided to soldiers on the most crucial battlefield lifesaving situations. Medics and soldiers, in many instances, lack the experience to act swiftly and effectively in combat casualty situation. By combining instrumented manikin parts that support hands-on practice with computer based scenario training, this funding will complete the HapMed Combat Medic Trainer development and provide medics and soldiers

the ability to practice critical lifesaving tasks. In addition to providing realistic training scenarios, HapMed is also portable, so soldiers can continue to train while they are deployed. This system has received high praise in its ability to train soldiers for medical treatment on the battlefield. According to a Science and Technology Manager for the Army, "New technologies such as HapMed are needed to provide medics with greater opportunities to develop and test their decision making and technical medical skills."

New Army recruits must receive training in Buddy Aid or as Combat Life Savers (CLS). Currently, insufficient training is provided to help soldiers and medics acquire and maintain some of the crucial battlefield lifesaving skills such as tourniquet application, needle chest decompression, and emergency cricothyrotomy, addressing, respectively, the top three causes of preventable death on the battlefield. In order to perform these lifesaving functions under battlefield conditions, military personnel must have the awareness and confidence to act swiftly and effectively.

Further, I received \$1,500,000 for General Atomics Aeronautical Systems at 14200 Kirkham Way, Poway, CA 92064. The Predator C has been designed and developed as the next generation aircraft in the extremely successful Predator series Unmanned Aircraft System. Predator C was designed in order to make the airplane more survivable in higher threat areas and to provide the U.S. Air Force with an armed reconnaissance capability that will be able to fly into many areas around the world undetected.

Predator C is slightly larger than Predator B and is capable of carrying 2000 pounds of the same mix of weapons as Predator B. Predator C will provide the U.S. Air Force with additional covert capability, enhanced by much higher operational and transit speeds for quick response and quick repositioning for improved mission flexibility and survivability. This system also provides variations in signature reduction technologies. Furthermore, Predator C means more jobs contributing to San Diego's local economy while providing the men and women on the ground the resources they need to accomplish their mission.

#### EARMARK DECLARATION

### HON. K. MICHAEL CONAWAY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, September 9, 2009*

Mr. CONAWAY. Madam Speaker, pursuant to the House Republican standards on earmarks, I am submitting the following information regarding earmarks I received as part of H.R. 3326—Department of Defense Appropriations Act, 2010.

Defense Critical Languages and Cultures Initiative—(Center for Security Studies) Angelo State University. The funding would be used for the University's Center for Security Studies which will produce cross culturally competent students able to understand and influence outcomes in support of American national security objectives. The Center for Security Studies will directly benefit Goodfellow Air Force Base by providing an educational degree completion for faculty as well as research opportunities on existing and emerging Air Force language, cul-

ture and intelligence requirements. Extra instructional capacity for Goodfellow Air Force Base in Mandarin and Arabic is also achieved. The project is located at Angelo State University, 2601 W. Avenue N, San Angelo, TX 76909.

Mobile Firing Range for the Texas Army National Guard. The Mobile Firing Range is a self contained range that allows for the firing of pistol and rifle systems for the Texas National Guard. Currently there is no opportunity to fire weapons for training or qualification without traveling to a certified range on a military installation. The Texas National Guard currently does not have access to any indoor ranges that can be used to fire the M16/M4 which is the current armament for 90 percent of the soldiers within the Texas National Guard. The Mobile Firing Range will allow soldiers to train with their assigned weapons at home station. This system is a training and force multiplier due to the negation of travel and lodging, and staging needed when conducting this training on a military facility. The entity to receive funding for this project is Texas National Guard, 2200 West 35th Street, Austin, TX 78763.

Center for Hetero-Functional Materials. The U.S. Army Research and Laboratory Material and Devices division has deemed the Center for Hetero-Functional Materials, CHM, as critical to developing next generation devices for the military. CHM provides the infrastructure and resources required for research and development of new materials and processes that will be required for the fabrication of next generation military devices. This initiative integrates multiple disciplines to help produce a new range of materials that will lead to new devices with unprecedented capabilities. The entity to receive funding for this project is Texas State University at San Marcos, 601 University Drive, San Marcos, TX 78666.

Compact Pulsed Power Initiative. This funding would be used for the development of explosive or battery-operated, compact, high-power radiation sources and associated antenna systems capable of destroying electronics used for radars, communications, computer, or remote detonation devices, and others that can disable car engines. The information gained from this research will be significant in furthering our nation's defense capabilities especially in the area of disabling and destroying IEDs. The entity to receive funding for this project is Texas Tech University, 2500 Broadway, mail stop 3121, TX 79409.

Field Deployable Hologram Production System. This funding would be used for completing development of a compact production unit that produces 3D holographic imagery for mission planning and intelligence purposes for U.S. forces in Iraq and Afghanistan. The Army requests a self-contained, field-deployable EHI production system to accelerate imagery delivery to combat forces. The goal is a more efficient, cost effective production system that provides the deployed war fighter needed planning and intelligence capabilities on a much faster basis. The entity to receive funding for this project is Zebra Imaging, Inc, 9801 Metric Blvd, Austin, TX 78758.

#### PERSONAL EXPLANATION

### HON. JEFF FORTENBERRY

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, September 9, 2009*

Mr. FORTENBERRY. Madam Speaker, on rollcall No. 691, I was inadvertently delayed.

Had I been present, I would have voted "yes."

#### RECOGNIZING OHIO NATIONAL FINANCIAL SERVICES ON ITS 100TH ANNIVERSARY

### HON. JEAN SCHMIDT

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, September 9, 2009*

Mrs. SCHMIDT. Madam Speaker, I rise today to recognize the One Hundred Year Anniversary of Ohio National Financial Services. On this day one century ago, Ohio National began operating in its original home on Fourth Street in downtown Cincinnati. Their first policy was issued in October a year later.

Today, Ohio National continues a proud tradition as a community leader. In celebration of this century of service to our community, Ohio National is partnering with Habitat for Humanity to build 10 houses over the next five years—one house for each decade of their commitment to Cincinnati.

Madam Speaker, please join me in recognizing Ohio National Financial Services 100th Anniversary and in wishing them continued success in the future.

#### REMEMBERING THE ATTACKS OF SEPTEMBER 11, 2001

### HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, September 9, 2009*

Ms. EDDIE BERNICE JOHNSON of Texas. Madam Speaker, eight years after the attacks of September 11, 2001, we remember one of the bloodiest days in our nation's history with heavy hearts and tragic regret. I am once again reminded of the heroes that selfishly gave their lives so that others could make it to safety, and today we mourn their passing. We remember, too, the victims who were so sadly ripped from our lives by one of the most senseless acts of violence our country has even seen. Today, I share in the grief of a country and extend my deepest condolences to the friends and family of those that passed on that solemn day.

As I think back to that painful morning, I remember how a sunny Tuesday unfolded into a series of events that has shaped our national conscious and affected us in ways that we had no longer thought possible. We were reminded that there is still hate in the world. We were reminded that there still exists the possibility of great tragedy in our country. And we were reminded that we were vulnerable to the problems that exist beyond our shores.

However, on that grim day, we saw an America that stood proudly and bravely and an America that came together under difficult