United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 112th CONGRESS, FIRST SESSION

Vol. 157 WASHINGTON, TUESDAY, JANUARY 11, 2011 No. 4

Senate

The Senate was not in session today. Its next meeting will be held on Tuesday, January 25, 2011, at 10 a.m.

House of Representatives

TUESDAY, JANUARY 11, 2011

The House met at noon and was called to order by the Speaker pro tempore (Ms. FOXX).

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
January 11, 2011.

I hereby appoint the Honorable VIRGINIA FOXX to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
Speaker of the House of Representatives.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 5, 2011, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes each, but in no event shall debate continue beyond 1:50 p.m.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until 2 p.m. today.

Accordingly (at 12 o'clock and 1 minute p.m.), the House stood in recess until 2 p.m.

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at 2 p.m.

PRAYER

The Chaplain, the Reverend Daniel P. Coughlin, offered the following prayer:

Eternal God, we praise You and thank You for another day to offer You humble worship privately and publicly in this land of freedom.

We ask Your blessing upon our work and the common good of this Nation.

Help those in most need of our prayers and attention.

Touch with healing power those who are sick, grieving or wounded. Grant peace to those who have died suddenly and consoling love to all who mourn, for You have promised to be with us in our every need both now and forever.

Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Alaska (Mr. YOUNG) come forward and lead the House in the Pledge of Allegiance.

Mr. YOUNG of Alaska led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

ELECTING MEMBERS TO CERTAIN STANDING COMMITTEES OF THE HOUSE OF REPRESENTATIVES

Mr. LARSON of Connecticut. Mr. Speaker, by direction of the Democratic Caucus, I offer a privileged resolution and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 31

Resolved, That the following named Members be and are hereby elected to the following standing committees of the House of Representatives:

(1) COMMITTEE ON APPROPRIATIONS.—Ms. Kaptur, Mr. Visclosky, Mrs. Lowey, Mr. Serrano, Ms. DeLauro, Mr. Moran, Mr. Olver, Mr. Pastor of Arizona, Mr. Price of North Carolina, Mr. Hinchey, Ms. Roybal-Allard, Mr. Farr, Mr. Jackson of Illinois, Mr. Fattah, Mr. Rothman of New Jersey, Mr. Bishop of Georgia, Ms. Lee of California, Mr. Schiff, Mr. Honda, and Ms. McCollum.

(2) COMMITTEE ON ENERGY AND COMMERCE.—Mr. Dingell, Mr. Markey, Mr. Towns, Mr. Pallone, Mr. Rush, Ms. Eshoo, Mr. Engel, Mr. Gene Green of Texas, Ms. DeGette, Mrs. Capps, Mr. Doyle, Ms. Harman, Ms. Schakowsky, Mr. Gonzalez, Mr. Inslee, Ms. Baldwin, Mr. Ross of Arkansas, Mr. Weiner, Mr. Matheson, Mr. Butterfield, Mr. Barrow, and Ms. Matsui.

(3) COMMITTEE ON ETHICS.—Ms. Zoe Lofgren of California.

(4) COMMITTEE ON WAYS AND MEANS.—Mr. Rangel, Mr. Stark, Mr. McDermott, Mr. Lewis of Georgia, Mr. Neal, Mr. Becerra, Mr. Doggett, Mr. Thompson of California, Mr.

Printed on recycled paper.

Larson of Connecticut, Mr. Blumenauer, Mr. Kind, Mr. Pascrell, Ms. Berkley, and Mr. Crowley.

Mr. LARSON of Connecticut (during the reading). Mr. Speaker, I ask unanimous consent that the resolution be considered as read and printed in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

The resolution was agreed to.

A motion to reconsider was laid on the table.

OMISSION FROM THE CONGRESSIONAL RECORD OF WEDNESDAY, JANUARY 5, 2011, AT PAGE H2

Rush
Schakowsky
Schilling
Schock
Shimkus
Walsh

INDIANA

Bucshon
Burton
Carson
Donnelly
Pence
Rokita
Stutzman
Visclosky
Young

IOWA

Boswell
Braley
King
Latham
Loebsack

KANSAS

Huelskamp
Jenkins
Pompeo
Yoder

KENTUCKY

Chandler
Davis
Guthrie
Rogers
Whitfield
Yarmuth

LOUISIANA

Alexander
Boustany
Cassidy
Fleming
Landry
Richmond
Scalise

MAINE

Michaud
Pingree

MARYLAND

Bartlett
Cummings
Edwards
Harris
Hoyer
Ruppersberger
Sarbanes
Van Hollen

MASSACHUSETTS

Capuano
Frank
Keating
Lynch
Markey
McGovern
Neal
Olver
Tierney
Tsongas

MICHIGAN

Amash
Benishek
Camp
Clarke
Conyers
Dingell
Huizenga
Kildee
Levin
McCotter
Miller
Peters
Rogers
Upton
Walberg

MINNESOTA

Bachmann
Cravaack
Ellison
Kline
McCollum
Paulsen
Peterson
Walz

MISSISSIPPI

Harper
Nunnelee
Palazzo
Thompson

MISSOURI

Akin
Carnahan
Clay
Cleaver
Emerson
Graves
Hartzler
Long
Luetkemeyer

MONTANA

Rehberg

NEBRASKA

Fortenberry
Smith
Terry

NEVADA

Berkley
Heck
Heller

NEW HAMPSHIRE

Bass
Guinta

NEW JERSEY

Andrews
Frelinghuysen
Garrett
Holt
Lance
LoBiondo
Pallone
Pascrell
Payne
Rothman
Runyan
Sires
Smith

NEW MEXICO

Heinrich
Luján
Pearce

NEW YORK

Ackerman
Bishop
Buerkle
Clarke
Crowley
Engel
Gibson
Grimm
Hanna
Hayworth
Higgins
Hinchey
Israel
King
Lee
Lowey
Maloney
McCarthy
Meeks
Nadler
Owens
Rangel
Reed
Serrano
Slaughter
Tonko
Towns
Velázquez
Weiner

NORTH CAROLINA

Butterfield
Coble
Ellmers
Foxx
Jones
Kissell
McHenry
McIntyre
Miller
Myrick
Price
Shuler
Watt

NORTH DAKOTA

Berg

OHIO

Austria
Boehner
Chabot
Fudge
Gibbs
Johnson
Jordan
Kaptur
Kucinich
LaTourette
Latta
Renacci
Ryan
Schmidt
Stivers
Sutton
Tiberi
Turner

OKLAHOMA

Boren
Cole
Lankford
Lucas
Sullivan

OREGON

Blumenauer
Schrader
Walden
Wu

PENNSYLVANIA

Altmire
Barletta
Brady
Critz
Dent
Doyle
Fattah
Fitzpatrick
Gerlach
Holden
Kelly
Marino
Meehan
Murphy
Pitts
Platts
Schwartz
Shuster
Thompson

RHODE ISLAND

Cicilline
Langevin

SOUTH CAROLINA

Clyburn
Duncan
Gowdy
Mulvaney
Scott
Wilson

SOUTH DAKOTA

Noem

TENNESSEE

Black
Blackburn
Cohen
Cooper
DesJarlais
Duncan
Fincher
Fleischmann
Roe

TEXAS

Barton
Brady
Burgess
Canseco
Carter
Conaway
Cuellar
Culberson
Doggett
Farenthold
Flores
Gohmert
Gonzalez
Granger
Green, Al
Green, Gene
Hall
Hensarling
Hinojosa
Jackson Lee
Johnson, E. B.
Johnson, Sam
Marchant
McCaul
Neugebauer
Olson
Paul
Poe
Reyes
Sessions
Smith
Thornberry

UTAH

Bishop
Chaffetz
Matheson

VERMONT

Welch

VIRGINIA

Cantor
Connolly
Forbes
Goodlatte
Griffith
Hurt
Moran
Rigell
Scott
Wittman
Wolf

WASHINGTON

Dicks
Hastings
Herrera Beutler
Inslee
Larsen
McDermott
McMorris Rodgers
Reichert
Smith

WEST VIRGINIA

Capito
McKinley
Rahall

WISCONSIN

Baldwin
Duffy
Kind
Moore
Petri
Ribble
Ryan
Sensenbrenner

WYOMING

Lummis

ADJOURNMENT

Mr. YOUNG of Alaska. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 2 o'clock and 3 minutes p.m.), the House adjourned until tomorrow, Wednesday, January 12, 2011, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

54. A letter from the Acting Secretary, Federal Trade Commission, transmitting the Commission's fourth interim report on an ongoing study of the accuracy and completeness of information contained in consumer reports prepared or maintained by consumer reporting agencies and methods for improving the accuracy and completeness of such information, pursuant to Section 319 of the Fair and Accurate Credit Transactions Act of 2003; to the Committee on Financial Services.

55. A letter from the Secretary, Department of the Treasury, transmitting as required by section 401(c) of the National Emergencies Act, 50 U.S.C. 1641(c), and section 204(c) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(c), a six-month periodic report on the national emergency with respect to North Korea that was declared in Executive Order 13466 of June 26, 2008, pursuant to 50 U.S.C. 1641(c); to the Committee on Foreign Affairs.

56. A letter from the Chief Administrative Officer, transmitting the quarterly report of receipts and expenditures of appropriations and other funds for the period October 1, 2010 through December 31, 2010 as compiled by the Chief Administrative Officer, pursuant to 2 U.S.C. 104a Public Law 88-454; (H. Doc. No. 112—6); to the Committee on House Administration and ordered to be printed.

57. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Northeastern United States; Summer Flounder Fishery; Quota Transfer [Docket No.: 0908191244-91427-02] (RIN: 0648-XA070) received January 6, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

58. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Groundfish Retention Standard; Emergency Rule [Docket No.: 101203602-0602-1] (RIN: 0648-BA29) received January 6, 2011, pursuant to 5 U.S.C.

801(a)(1)(A); to the Committee on Natural Resources.

59. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Reef Fish Fishery of the Gulf of Mexico; Red Grouper Management Measures [Docket No.: 100803319-0565-02] (RIN: 0648-BA04) received January 4, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

60. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Emergency Fisheries Closure in the Gulf of Mexico Due to the Deepwater Horizon MC252 Oil Spill; Amendment 3 [Docket No.: 100510220-0581-04] (RIN: 0648-AY90) received January 4, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

61. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Snapper-Grouper Fishery Off the Southern Atlantic States; Amendment 17A [Docket No.: 0907271170-0576-03] (RIN: 0648-AY10) received January 4, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

62. A letter from the Assistant Attorney General, Department of Justice, transmitting the Department's quarterly report from the Office of Privacy and Civil Liberties for the second quarter of fiscal year 2010, pursuant to Public Law 110-53, section 803 (121 Stat. 266, 360); to the Committee on the Judiciary.

63. A letter from the Secretary, Judicial Conference of the United States, transmitting a report on the continuing need for bankruptcy judgeships, pursuant to 28 U.S.C. 153(b)(3); to the Committee on the Judiciary.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

[The following action occurred on January 3, 2011]

Mr. CONYERS: Committee on the Judiciary. Report on the Activities of the Committee on the Judiciary During the 111th Congress (Rept. 111–712). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. SIRES (for himself, Mrs. NAPOLITANO, Mr. CARNAHAN, and Mr. CAPUANO):

H.R. 260. A bill to amend titles 23 and 49, United States Code, to enhance employer involvement in transportation planning and to create and expand commuter benefit programs, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. PALLONE (for himself, Mr. GARAMENDI, and Ms. CASTOR of Florida):

H.R. 261. A bill to amend the Outer Continental Shelf Lands Act to prohibit the leasing of any area of the outer Continental Shelf for the exploration, development, or production of oil, gas, or any other mineral; to the Committee on Natural Resources.

By Mr. LARSON of Connecticut:

H. Res. 31. A resolution electing Members to certain standing committees of the House of Representatives; considered and agreed to. considered and agreed to.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. SIRES:

H.R. 260.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the Constitution.

By Mr. PALLONE:

H.R. 261.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, Clause 2:

''The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State.''

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 2: Mrs. NOEM, Mr. MCCOTTER, Mr. RIGELL, Mr. FITZPATRICK, Mr. HUNTER, and Mr. GUINTA.

H.R. 21: Mr. ROSS of Florida and Mr. FLORES.

H.R. 25: Mr. ALEXANDER, Mr. POSEY, and Mr. FLEMING.

H.R. 61: Mr. HUNTER.

H.R. 136: Mr. KING of New York.

H.R. 152: Ms. FOXX.

H.R. 206: Mr. HUELSKAMP, Mr. RENACCI, Mr. HUNTER, and Mr. WALBERG.

H.R. 217: Mr. FLORES and Mr. MCINTYRE.

H. Res. 11: Mr. SCHIFF, Ms. BORDALLO, Ms. MOORE, Ms. WOOLSEY, Ms. HIRONO, Mr. GRIJALVA, Mr. CONYERS, Mr. FILNER, and Ms. NORTON.

H. Res. 30: Mr. BRALEY of Iowa.