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# Congressional Record

PROCEEDINGS AND DEBATES OF THE 112th CONGRESS, FIRST SESSION

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# House of Representatives

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. LANDRY).

## DESIGNATION OF THE SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
*August 12, 2011.*

I hereby appoint the Honorable JEFF LANDRY to act as Speaker pro tempore on this day.

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

## PRAYER

Monsignor Stephen Rossetti, Associate Professor, The Catholic University of America, Washington, D.C., offered the following prayer:

Almighty God, we are living in uncertain days. Sometimes they fill us with fear. We cannot see the future; it is clouded. We are uncertain of the way.

In the midst of these days, we turn to You. You are the only certainty; You are the Rock that anchors us. Your steadfast love and abiding presence are with us.

With You as our Rock and Your love inside us, our fears are quieted; our hearts become calm.

Thank You for being our sure anchor. Thank You for Your eternal love. Thank You for guiding our steps. Amen.

## THE JOURNAL

The SPEAKER pro tempore. Pursuant to section 5 of House Resolution 375, the Journal of the last day's proceedings is approved.

## PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. The Chair will lead the House in the Pledge of Allegiance.

The SPEAKER pro tempore 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.

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to section 4 of House Resolution 375, legislative business is not dispensed with on this day.

## APPOINTMENT OF MEMBERS TO JOINT SELECT COMMITTEE ON DEFICIT REDUCTION

The SPEAKER pro tempore. The Chair announces that, pursuant to section 401(b)(4)(B)(iii) of the Budget Control Act of 2011 (P.L. 112–25) and the order of the House of January 5, 2011, the Speaker has appointed the following Members to serve on the Joint Select Committee on Deficit Reduction:

Mr. HENSARLING, Texas, co-chair;
Mr. UPTON, Michigan; and
Mr. CAMP, Michigan.

## APPOINTMENT OF MEMBERS TO JOINT SELECT COMMITTEE ON DEFICIT REDUCTION

The SPEAKER pro tempore. The Chair announces that, pursuant to section 401(b)(4)(B)(iv) of the Budget Control Act of 2011 (P.L. 112–25) and the order of the House of January 5, 2011, the minority leader has appointed the following Members to serve on the Joint Select Committee on Deficit Reduction:

Mr. CLYBURN, South Carolina;
Mr. BECERRA, California; and
Mr. VAN HOLLEN, Maryland.

## BILLS PRESENTED TO THE PRESIDENT

Karen L. Haas, Clerk of the House reports that on July 28, 2011 she presented to the President of the United States, for his approval, the following bill.

H.R. 1383. To temporarily preserve higher rates for tuition and fees for programs of education at non-public institutions of higher learning pursued by individuals enrolled on the Post-9/11 Educational Assistance Program of the Department of Veterans Affairs before the enactment of the Post-9/11 Veterans Educational Assistance Improvements Act of 2010, and for other purposes.

Karen L. Haas, Clerk of the House reports that on August 5, 2011 she presented to the President of the United States, for his approval, the following bills.

H.R. 2553. To amend the Internal Revenue Code of 1986 to extend the funding and expenditure authority of the Airport and Airway Trust Fund, to amend title 49, United States Code, to extend the airport improvement program, and for other purposes.

H.R. 2715. To provide the Consumer Product Safety Commission with greater authority and discretion in enforcing the consumer product safety laws, and for other purposes.

## ADJOURNMENT

The SPEAKER pro tempore. Pursuant to sections 3 and 4 of House Resolution 375, the House stands adjourned until 11:30 a.m. on Tuesday, August 16, 2011.

Accordingly (at 10 o'clock and 5 minutes a.m.), the House adjourned until Tuesday, August 16, 2011, at 11:30 a.m.

## EXECUTIVE COMMUNICATIONS, ETC.

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



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2750. A letter from the Director, Department of the Treasury, transmitting the Department's final rule — Financial Crimes Enforcement Network; Repeal of the Final Rule and Withdrawal of the Finding of Primary Money Laundering Concern against VEF Banka (RIN: 1506-AA82) received July 25, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

2751. A letter from the Deputy to the Chairman for External Affairs, Federal Deposit Insurance Corporation, transmitting the Corporation's final rule — Retail Foreign Exchange Transactions (RIN: 3064-AD81) received July 26, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

2752. A letter from the Assistant Chief Counsel for General Law, Department of Transportation, transmitting the Department's final rule — Hazardous Materials; Miscellaneous Amendments [Docket No.: PHMSA-2009-0151 (HM-218F)] (RIN: 2137-AE46) received July 27, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2753. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Revisions and Additions to Motor Vehicle Fuel Economy Label [EPA-HQ-OAR-2009-0865; FRL-9315-1; NHTSA-2010-0087] (RIN: 2060-AQ09; RIN: 2127-AK73) received July 27, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2754. A letter from the Assistant Secretary For Export Administration, Department of Commerce, transmitting the Department's final rule — Addition of Certain Persons on the Entity List: Addition of Persons Acting Contrary to the National Security or Foreign Policy Interests of the United States [Docket No.: 110502273-1368-01] (RIN: 0694-AF21) received July 26, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Foreign Affairs.

2755. A letter from the Secretary, Federal Trade Commission, transmitting the Commission's final rule — Premerger Notification; Reporting and Waiting Period Requirements (RIN: 3084-AA91) received July 26, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

2756. A letter from the Attorney, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Mile Marker 98.5 West of Harvey Lock Gulf Intracoastal Waterway to Mile Marker 108.5 West of Harvey Lock Gulf Intracoastal Waterway [Docket No.: USCG-2011-0434] (RIN: 1625-AA00) received July 22, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2757. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule — Update of August 2001 Overflight Fees [Docket No.: FAA-2010-0326; Amendment No. 187-35] (RIN: 2120-AJ68) received July 27, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2758. A letter from the Regulations Officer, Social Security Administration, transmitting the Administration's final rule — Electronic Substitutions for Form SSA-538 [Docket No.: SSA-2009-0027] (RIN: 0690-AH02) received July 26, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

2759. A letter from the Director, Office of Regulations, Social Security Administration, transmitting the Administration's final rule — Revisions to Direct Fee Payment Rules [Docket No.: SSA-2010-0025] (RIN: 0960-AH21) received July 26, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

## REPORTS OF COMMITTTES ON PUBLIC BILLS AND RESOLUTIONS

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

Mr. BACHUS: Committee on Financial Services. H.R. 1539. A bill to repeal section 939G of the Dodd-Frank Wall Street Reform and Consumer Protection Act and to restore Securities and Exchange Commission Rule 436(g) repealed by such section (Rept. 112–196). 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 Ms. FUDGE:

H.R. 2816. A bill to support and encourage the health and well-being of elementary school and secondary school students by enhancing school physical education and health education.

By Ms. FUDGE:

H.R. 2817. A bill to amend the Community Services Block Grant Act to authorize appropriations for national or regional instructional programs for low-income youth.

By Ms. FUDGE:

H.R. 2818. A bill to provide temporary housing during schools breaks to students who are homeless or in foster care.

By Ms. JENKINS:

H.R. 2819. A bill to prohibit the Secretary of Defense, the Director of the Central Intelligence Agency, and any other officer or employee of the Federal Government from providing information about the mission to kill Osama bin Laden to any person outside the Federal Government until the Inspectors General of the Department of Defense and the Central Intelligence Agency carry out an investigation and provide a briefing to Congress on the matter, and for other purposes.

By Mr. MICHAUD:

H.R. 2820. A bill to provide for the establishment and operation of Advanced Composites Development Centers.

## MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

107. The SPEAKER presented a memorial of the House of Representatives of the State of Texas, relative to House Concurrent Resolution No. 129 notifying the Department of Education that the career schools or colleges that are established and authorized to operate by name as an educational institution by the State of Texas are legally authorized by the State of Texas to operate education programs beyond secondary education; to the Committee on Education and the Workforce.

108. Also, a memorial of the House of Representatives of the State of Texas, relative to House Concurrent Resolution No. 90 urging the Congress to expedite a solution and enact laws that will provide public alert and warning in situations of war, terrorist attack, natural disaster, or other hazards to public safety; to the Committee on Energy and Commerce.

109. Also, a memorial of the House of Representatives of the State of Texas, relative to House Concurrent Resolution No. 18 urging the Congress to propose and submit to the states for ratification an amendment to the Constitution providing that except during a war declared by the Congress the total of all federal appropriations for a fiscal year may not exceed the total of all estimated federal revenue for that fiscal year; to the Committee on the Judiciary.

110. Also, a memorial of the Senate of the State of Texas, relative to Senate Concurrent Resolution No. 2 urging the Congress to reauthorize the Water Resources Development Act of 2007; to the Committee on Transportation and Infrastructure.

111. Also, a memorial of the Legislature of the Territory of Virgin Islands, relative to Resolution No. 1757 petitioning the Congress and the President to allocate a portion of the Federal Gasoline Excise Tax to be returned to the Territory to establish an energy grid system with the island of Puerto Rico; to the Committee on Ways and Means.

112. Also, a memorial of the Legislature of the Territory of Virgin Islands, relative to Resolution No. 1759 urging the Congress to provide perpetual transfer of a portion of revenues derived from excise taxes and duties imposed on petroleum products shipped from the Virgin Islands to the United States; to the Committee on Ways and Means.

113. Also, a memorial of the Senate of the State of Michigan, relative to Senate Resolution No. 39 memorizing the Congress to remove gray wolves in Michigan from the federal endangered species list; to the Committee on Natural Resources.

114. Also, a memorial of the House of Representatives of the State of Michigan, relative to House Resolution No. 53 memorializing the Congress and the Drug Enforcement Agency to make it illegal to possess, use, or sell the drugs MDPV and mephedrone; jointly to the Committees on Energy and Commerce and the Judiciary.

115. Also, a memorial of the Senate of the State of Michigan, relative to Senate Resolution No. 27 urging the President to impose a moratorium on any new regulations and for the Congress to pass the regulations from the Executive in Need of Scrutiny (REINS) Act; jointly to the Committees on the Judiciary and Rules.

## 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 Ms. MARCIA L. FUDGE:

H.R. 2816.

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

Article I, §8, clause 3, the Commerce Clause, as the basis for constitutional authority.

By Ms. MARCIA L. FUDGE:

H.R. 2817.

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

Article I, §8, clause 3, the Commerce Clause, as the basis for constitutional authority.

By Ms. MARCIA L. FUDGE:

H.R. 2818.

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

Article I, §8, clause 3, the Commerce Clause, as the basis for constitutional authority.

By Ms. LYNN JENKINS:

H.R. 2819.

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

Article 1, Section 9, Clause 7

By Mr. MICHAEL H. MICHAUD:

H.R. 2820.

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

Article I, Section 8 of the United States Constitution.

## ADDITIONAL SPONSORS

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

H.R. 890: Ms. JACKSON LEE of Texas, Ms. RICHARDSON, Mr. WILSON of South Carolina, Mr. RUSH, and Mr. AUSTRIA.

H.R. 973: Mr. PLATTS.

H.R. 1418: Ms. SPEIER and Mr. RUSH.

H.R. 1681: Ms. SPEIER.

H.R. 1738: Mr. DAVIS of Kentucky.

H.R. 1755: Mr. REYES.

H.R. 1803: Mr. RANGEL.

H.R. 1978: Mr. PASCRELL.

H.R. 2366: Mr. BERMAN, Mr. LARSON of Connecticut, Mr. HIMES, Mr. WELCH, and Mr. GERLACH.

H.R. 2404: Ms. MCCOLLUM.

H.R. 2524: Mr. CONNOLLY of Virginia.

H.R. 2636: Mr. WATT.

H.R. 2643: Ms. LEE and Ms. HIRONO.

H.R. 2664: Mr. BACA.

H.R. 2763: Mr. MCGOVERN, Ms. ZOE LOFGREN of California, and Mr. BLUMENAUER.

H.R. 2784: Mr. BLUMENAUER.

H.R. 2796: Mr. HUIZENGA of Michigan, Mr. NUGENT, Mr. WEST, Mr. POSEY, Mr. POE of Texas, Mrs. BLACKBURN, Mr. BURTON of Indiana, Mr. ROSS of Florida, Ms. JENKINS, Mr. LANDRY, Mr. BRADY of Texas, and Mr. CONYERS.

H. Res. 134: Mr. CUMMINGS, Ms. PINGREE of Maine, and Mr. YOUNG of Alaska.

H. Res. 304: Ms. LORETTA SANCHEZ of California, Ms. WOOLSEY, and Mr. RYAN of Wisconsin.

H. Res. 306: Mr. FORBES.

H. Res. 348: Mr. SERRANO.

## PETITIONS, ETC.

Under clause 3 of rule XII,

18. The SPEAKER presented a petition of The Wayne County Commission, Michigan, relative to Resolution No. 2011-268 memorializing the Congress to recognize the importance of the F-35 Joint Strike Fighter to Wayne County; to the Committee on Armed Services.