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House of Representatives

The House met at 2 p.m. and was called to order by the Speaker.

PRAYER

Tne Chaplain, the Reverend Patrick J. Conroy, offered the following prayer:

Loving God, we give You thanks for giving us another day.

As this Chamber lies silent and Members disperse to celebrate the holy days with their families, we ask Your blessing upon them and upon us all.

Massive pressures hang over them and our Nation. During these days of quiet, send an abundance of Your gifts of wisdom, knowledge, understanding and good will that the concerns of America's citizens might be assuaged by good policy and solutions that will guarantee a secure future.

May all that is done this day be for Your greater honor and glory.

Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

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

The SPEAKER 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, under nation under God, indivisible, with liberty and justice for all.

PROVIDING FOR AN ADJOURNMENT OR RECESS OF THE TWO HOUSES

The SPEAKER laid before the House the following privileged concurrent resolution:

H. CON. RES. 146

Resolved by the House of Representatives (the Senate concurring), That when the House adjourns on the legislative day of Friday, December 21, 2012, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand adjourned until 2 p.m. on Thursday, December 27, 2012, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first; and that when the Senate recesses or adjourns on the legislative day of Friday, December 21, 2012, or Saturday, December 22, 2012, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand recessed or adjourned until noon on Thursday, December 27, 2012, or such other time on that day as may be specified in the motion to recess or adjourn, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first.

SEC. 2. The Speaker of the House and the Majority Leader of the Senate, or their respective designees, acting jointly after consultation with the Minority Leader of the House and the Minority Leader of the Senate, shall notify the Members of the House and the Senate, respectively, to reassemble at such place and time as they may designate if, in their opinion, the public interest shall warrant it.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
U.S. HOUSE OF REPRESENTATIVES,
Washington, DC, December 21, 2012.

Hon. JOHN A. BOEHNER,
The Speaker, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on December 21, 2012 at 1:37 p.m.:

That the Senate passed with an amendment H.R. 443.

That the Senate passed without amendment H.R. 4053.

That the Senate passed without amendment H.R. 6671.

That the Senate passed 2388.

With best wishes, I am

Sincerely,

KAREN L. HAAS.

CONDITIONAL ADJOURNMENT TO MONDAY, DECEMBER 24, 2012

The SPEAKER. Without objection, when the House adjourns today, it shall adjourn to meet at noon on Monday, December 24, 2012, unless it sooner has received message from the Senate transmitting its concurrence in House Concurrent Resolution 146, in which case the House shall stand adjourned pursuant to that concurrent resolution.

There was no objection.

ENROLLED BILLS AND JOINT RESOLUTIONS SIGNED

Karen L. Haas, Clerk of the House, reported and found truly enrolled bills and a joint resolution of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 3477. An act to designate the facility of the United States Postal Service located at 133 Hare Road in Crosby, Texas, as the Army First Sergeant David McNerney Post Office Building.

H.R. 3870. An act to designate the facility of the United States Postal Service located at 6083 Highway 36 West in Rose Bud, Arkansas, as the ''Nicky 'Nick' Daniel Bacon Post Office''.

H.R. 3912. An act to designate the facility of the United States Postal Service located at 110 Mastic Road in Mastic Beach, New York, as the ''Brigadier General Nathaniel Woodhull Post Office Building''.

H.R. 5738. An act to designate the facility of the United States Postal Service located at 15285 Samohin Drive in Macomb, Michigan, as the ''Lance Cpl. Anthony A. DiLisio Clinton-Macomb Carrier Annex''.

H.R. 5837. An act to designate the facility of the United States Postal Service located at 26 East Genesee Street in Baldwinsville,

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New York, as the ''Corporal Kyle Schneider Post Office Building''.

H.R. 5954. An act to designate the facility of the United States Postal Service located at 320 7th Street in Ellwood City, Pennsylvania, as the ''Sergeant Leslie H. Sabo, Jr. Post Office Building''.

H.J. Res. 122. Joint resolution establishing the date for the counting of the electoral votes for President and Vice President cast by the electors in December 2012.

ADJOURNMENT

The SPEAKER. Without objection, the House stands adjourned pursuant to the previous order.

There was no objection.

Thereupon (at 2 o'clock and 5 minutes p.m.), pursuant to the previous order of the House of today, the House adjourned until noon, Monday, December, 24, 2012, unless it sooner has received a message from the Senate transmitting its concurrence in House Concurrent Resolution 146.

EXECUTIVE COMMUNICATIONS, ETC.

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

8896. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Pyraflufen-ethyl; Entensian of Time-Limited Pesticide Tolerances [EPA-HQ-OPP-2012-0750; FRL-9373-5] received December 10, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

8897. A letter from the Attorney-Advisor, Division of Legislation and Regulations, Department of Transportation, transmitting the Department's final rule — Retrospective Review Under E.O. 13563: Seamen's Claims; Admiralty Claims [Docket No.: MARAD 2012-0005] (RIN: 2133-AB79) received December 4, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

8898. A letter from the Associate General Counsel for Legislation & Regulations, Department of Housing and Urban Development, transmitting the Department's final rule — Federal Housing Administration (FAH) Section 232 Healthcare Mortgage Insurance Program: Partial Payment of Claims [Docket No.: FR-5537-F-02] (RIN: 2502-AJ04) received December 17, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

8899. A letter from the General Attorney, Consumer Product Safety Commission, transmitting the Commission's final rule — Requirements for Child-Resistant Packaging: Products Containing Imidazolines Equivalent to 0.08 Milligrams or More [CPSC Docket No.: CPSC-2012-0005] received December 17, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

8900. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; West Virginia; Redesignation of the West Virginia Portion of the Huntington-Ashland, WV-KY-OH 1997 Annual Fine Particulate Matter Nonattainment Area to Attainment and Approval of the Associate Maintenance Plan [EPA-R03-OAR-2012-0174; FRL-9764-4] received December 10, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

8901. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plan; Idaho; Update to Materials Incorporated By Reference [EPA-R10-OAR-2011-0685; FRL-9726-4] received December 10, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

8902. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Regulation of Fuels and Fuel Additives: Modifications to the Transmix Provisions Under the Diesel Sulfur Program [EPA-HQ-OAR-2012-0223; FRL-9763-7] received December 10, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

8903. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans and Designation of Areas for Air Quality Planning Purposes; Kentucky; Redesignation of the Kentucky Portion of the Huntington-Ashland, WV-KY-OH 1997 Annual Fine Particulate Matter Nonattainment Area to Attainment [EPA-R04-OAR-20121-0751; FRL-9763-9] received December 12, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

8904. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plan and Designation of Areas for Air Quality Planning Purposes; South Carolina; Redesignation of the Charlotte-Gastonia-Rock Hill, North Carolina-South Carolina 1997 8-Hour Ozone Moderate Nonattainment Area to Attainment [EPA-R04-OAR-2012-0327; FRL-9763-8] received December 10, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

8905. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting a report entitled ''Revised Enforcement Guidance Regarding the Treatment of Tenants Under the CERCLA BFPP Provision''; to the Committee on Energy and Commerce.

8906. A letter from the Director, Office of Sustainable Fisheries, 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; Gray Triggerfish Management Measures [Docket No.: 120417412-2412-01] (RIN: 0648-BB90) received December 17, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

8907. A letter from the Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Groundfish Fisheries of the Exclusive Economic Zone Off Alaska and Pacific Halibut Fisheries; Observer Program [Docket No.: 110831549-2587-02] (RIN: 0648-BB42) received December 17, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

8908. A letter from the Deputy Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Northeastern United States; Black Sea Bass Fishery; Recreational Quota Harvested [Docket No.: 111220786-1781-01] (RIN: 0648-XC303) received December 17, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

8909. A letter from the Deputy Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Snapper-Grouper Fishery of the South Atlantic; Reopening of the 2012 Commercial Sector for South Atlantic Red Snapper, Gag, and South Atlantic Shallow-Water Grouper [Docket No.: 120709225-2365-01 and 0907271173-0626-03] (RIN: 0648-XC332) received December 17, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

8910. A letter from the Acting Deputy Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Northeastern United States; Atlantic Herring Fishery; Sub-ACL (Annual Catch Limit) Harvested for Management Area 1A [Docket No.: 0907301205-0289-02] (RIN: 0648-AC156) received December 17, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

8911. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Lewistown, MT [Docket No.: FAA-2012-0538; Airspace Docket No. 12-ANM-8] received December 13, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8912. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Amendment of Class D and Class E Airpsace; Bozeman, MT [Docket No.: FAA-2012-0519; Airspace Docket No. 12-ANM-16] received December 13, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8913. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Chenega Bay, AK [Docket No.: FAA-2011-1429; Airspace Docket No. 11-AAL-22] received December 13, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8914. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Augusta, GA [Docket No.: FAA-2011-1334; Airspace Docket No. 11-ASO-43] received December 13, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8915. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Hurricane Sandy Relief [Announcement 2012-44] received December 7, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

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:

Mr. MICA: Committee on Transportation and Infrastructure. Summary on the Activities of the Committee on Transportation and Infrastructure for the 112th Congress (Rept. 112–718). Referred to the Committee of the Whole House on the state of the Union.

Mr. MICA: Committee on Transportation and Infrastructure. H.R. 5806. A bill to amend the Homeland Security Act of 2002 to require the Administrator of the Federal Emergency Management Agency to provide guidance and coordination for outreach to people with disabilities during emergencies, and for other purposes; with an amendment (Rept. 112–719, Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

Mr. GRAVES of Missouri: Committee on Small Business. H.R. 3850. A bill to amend the Small Business Act with respect to goals for procurement contracts awarded to small business concerns, and for other purposes; with an amendment (Rept. 112–720, Pt. 1). Referred to the Committee of the Whole House on the state of the Union. Mr. GRAVES of Missouri: Committee on Small Business. H.R. 3851. A bill to amend the Small Business Act with respect to Offices of Small and Disadvantaged Business Utilization, and for other purposes; with an amendment (Rept. 112–721, Pt. 1). Referred to the Committee of the Whole House on the state of the Union. Mr. GRAVES of Missouri: Committee on Small Business. H.R. 3980. A bill to amend the Small Business Act with respect to procurement center representatives and acquisition planning, and for other purposes; with an amendment (Rept. 112–722). Referred to the Committee of the Whole House on the state of the Union.

Mr. GRAVES of Missouri: Committee on Small Business. H.R. 3985. A bill to amend the Small Business Act with respect to mentor-protege programs, and for other purposes; with amendments (Rept. 112–723). Referred to the Committee of the Whole House on the state of the Union.

Mr. GRAVES of Missouri: Committee on Small Business. H.R. 3987. A bill to amend the Small Business Act with respect to small business concern size standards, and for other purposes; with amendments (Rept. 112–724). Referred to the Committee of the Whole House on the state of the Union.

Mr. GRAVES of Missouri: Committee on Small Business. H.R. 4081. A bill to amend the Small Business Act to contract bundling, and for other purposes; with an amendment (Rept. 112–725). Referred to the Committee of the Whole House on the state of the Union.

Mr. GRAVES of Missouri: Committee on Small Business. H.R. 4118. A bill to amend the Small Business Act to provide for increased small business participation in multiple award contracts, and for other purposes (Rept. 112–726, Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

Mr. GRAVES of Missouri: Committee on Small Business. H.R. 4121. A bill to provide for a program to provide Federal contracts to early stage small businesses, and for other purposes; with an amendment (Rept. 112–727). Referred to the Committee of the Whole House on the state of the Union.

Mr. GRAVES of Missouri: Committee on Small Business. H.R. 4206. A bill to amend the Small Business Act to provide for increased penalties for contracting fraud, and for other purposes; with amendments (Rept. 112–728, Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

DISCHARGE OF COMMITTEE

Pursuant to clause 2 of rule XIII, the Committees on Energy and Commerce, Science, Space, and Technology, and Transportation and Infrastructure discharged from further consideration. H.R. 3116 referred to the Committee of the Whole House on the state of the Union and ordered to be printed.

Pursuant to clause 2 of rule XIII, the Committee on Oversight and Government Reform discharged from further consideration. H.R. 3850 referred to the Committee of the Whole House on the state of the Union, and ordered to be printed.

Pursuant to clause 2 of rule XIII, the Committee on Oversight and Government Reform discharged from further consideration. H.R. 3851 referred to the Committee of the Whole House on the state of the Union, and ordered to be printed.

Pursuant to clause 2 of rule XIII, the Committee on Oversight and Government Reform discharged from further consideration. H.R. 4118 referred to the Committee of the Whole House on the state of the Union, and ordered to be printed.

Pursuant to clause 2 of rule XIII, the Committee on the Judiciary discharged from further consideration. H.R. 4206 referred to the Committee of the Whole House on the state of the Union, and ordered to be printed.

Pursuant to clause 2 of rule XIII, the Committee on Homeland Security discharged from further consideration. H.R. 5806 referred to the Committee of the Whole House on the state of the Union, and ordered to be printed.

TIME LIMITATION OF REFERRED BILL

Pursuant to clause 2 of rule XII, the following action was taken by the Speaker:

H.R. 940. Referral to the Committee on Ways and Means extended for a period ending not later than December 31, 2012.

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. HOLT:

H.R. 6703. A bill to enable States to implement integrated statewide education longitudinal data systems; to the Committee on Education and the Workforce.

By Mr. ISRAEL:

H.R. 6704. A bill to reauthorize the ban on undetectable firearms; to the Committee on the Judiciary.

By Mr. LANGEVIN (for himself and Mr. WELCH):

H.R. 6705. A bill to amend the Internal Revenue Code of 1986 to reduce the depreciation recovery periods for energy efficient commercial buildings, and for other purposes; to the Committee on Ways and Means.

By Mr. BOEHNER:

H. Con. Res. 146. Concurrent resolution providing for a conditional adjournment of the House of Representatives and a conditional recess or adjournment of the Senate; considered and agreed to.

MEMORIALS

Under clause 3 of rule XII, memorials were presented and referred as follows:

322. The SPEAKER presented a memorial of the Senate of the State of Michigan, relative to Senate Resolution No. 181 supporting an amendment to the PPACA; to the Committee on Energy and Commerce.

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. HOLT:

H.R. 6703.

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

Article I of the Constitution of the United States

By Mr. ISRAEL:

H.R. 6704.

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

This bill is enacted pursuant to the powers granted to the Congress by Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. LANGEVIN:

H.R. 6705.

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

Article I, Section 8, Clause 1 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. 1810: Mr. ALTMIRE and Mr. MEEKS.

H.R. 2479: Mr. HIMES.

H.R. 6441: Mr. LATOURETTE.

H.R. 6636: Mr. SERRANO, Ms. VELÁZQUEZ, Mr. NADLER, Mrs. MCCARTHY of New York, Ms. SLAUGHTER, Mrs. MALONEY, Ms. HAYWORTH, Mr. REED, Mr. MEEKS, Ms. CLARKE of New York, Mr. ACKERMAN, Mr. RANGEL, Mr. ISRAEL, and Ms. BUERKLE.

H.R. 6690: Mrs. MILLER of Michigan and Mr. LATTA.

H. Res. 734: Mr. ELLISON.

DISCHARGE PETITIONS—ADDITIONS OR DELETIONS

The following Members added their names to the following discharge petitions:

Petition 5 by Mr. BRALEY on House Resolution 739: Bobby L. Rush.

Petition 6 by Mr. WALZ on the bill (H.R. 15): Carolyn McCarthy.