



United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 112th CONGRESS, SECOND SESSION

Vol. 158

WASHINGTON, MONDAY, JULY 30, 2012

No. 114

House of Representatives

The House met at 2 p.m. and was called to order by the Speaker pro tempore (Mr. SMITH of Nebraska).

DESIGNATION OF THE SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
July 30, 2012.

I hereby appoint the Honorable ADRIAN SMITH to act as Speaker pro tempore on this day.

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

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer: Dear God, we give You thanks for giving us another day.

We ask Your special blessing upon the Members of this people's House. As so many Americans have communicated to them this past weekend, there is great concern for our future.

Give all Members wisdom, patience, discernment, and courage to use the information they have, the broader understanding of the national concerns, and the responsibility they have been given, to lead this Nation into a balanced and secure future. Grant a double portion of a great prophet's spirit.

Bless them, O God, and be with them and with us all this day and every day to come. May all that is done be for Your greater honor and glory.

Amen.

THE JOURNAL

The SPEAKER pro tempore. 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 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.

COMMUNICATION FROM THE CLERK OF THE HOUSE

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

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, July 27, 2012.

Hon. JOHN A. BOEHNER,
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 July 27, 2012 at 11:54 a.m.:

That the Senate concur in the House amendment to the bill S. 1959.

That the Senate agreed to without amendment H. Con. Res. 90.

That the Senate agreed to without amendment H. Con. Res. 133.

That the Senate agreed to without amendment H. Con. Res. 134.

With best wishes, I am

Sincerely,

ROBERT F. REEVES,
Deputy Clerk.

COMMUNICATION FROM THE CLERK OF THE HOUSE

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

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, July 30, 2012.

Hon. JOHN A. BOEHNER,
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 July 30, 2012 at 11:10 a.m.:

That the Senate passed S. 1299.

With best wishes, I am

Sincerely,

KAREN L. HAAS.

COMMUNICATION FROM DISTRICT DIRECTOR, THE HONORABLE CHARLES W. BOUSTANY, JR., MEMBER OF CONGRESS

The SPEAKER pro tempore laid before the House the following communication from Joan Finley, District Director, the Honorable CHARLES W. BOUSTANY, Jr., Member of Congress:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, July 12, 2012.

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

DEAR MR. SPEAKER: This is to notify you formally, pursuant to Rule VIII of the Rules of the House of Representatives, that I have been served with a trial subpoena for testimony issued by the 27th Judicial District Court for the Parish of St. Landry, Louisiana, in connection with a civil action currently pending before that court.

After consultation with the Office of General Counsel, I have determined that compliance with the subpoena is consistent with the privileges and rights of the House.

Sincerely,

JOAN FINLEY,
District Director,
Representative Charles W. Boustany, Jr.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 4 of rule I, the following

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



Printed on recycled paper.

H5329

enrolled bill was signed by Speaker pro tempore THORNBERRY on Thursday, July 26, 2012:

H.R. 5872, to require the President to provide a report detailing the sequester required by the Budget Control Act of 2011 on January 2, 2013.

ENROLLED BILL SIGNED

Karen L. Haas, Clerk of the House, reported and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker pro tempore, Mr. THORNBERRY, on Thursday, July 26, 2012.

H.R. 5872. An act to require the President to provide a report detailing the sequester required by the Budget Control Act of 2011 on January 2, 2013.

ADJOURNMENT

The SPEAKER pro tempore. Without objection, the House stands adjourned until noon tomorrow for morning-hour debate.

There was no objection.

Accordingly (at 2 o'clock and 5 minutes p.m.), under its previous order, the House adjourned until tomorrow, Tuesday, July 31, 2012, at noon.

EXECUTIVE COMMUNICATIONS, ETC.

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

7119. A letter from the Under Secretary, Department of Defense, transmitting a review of the Evolved Expendable Launch Vehicle (EELV) program; to the Committee on Armed Services.

7120. A letter from the Assistant Secretary, Department of the Army, transmitting the Army's annual report of recruitment incentives; to the Committee on Armed Services.

7121. A letter from the Assistant General Counsel for Regulatory Services, Department of Education, transmitting the Department's final rule — Final Priority; National Institute on Disability and Rehabilitation Research (NIDRR)-Disability and Rehabilitation Research Projects and Centers Program-Disability Rehabilitation Research Project (DRRP)-Employment of Individuals with Disabilities [CFDA Number: 84.133A-1] received July 18, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

7122. A letter from the Secretary, Department of Education, transmitting the Department's final rule — Federal Pell Grant Program [Docket ID: ED-2012-OPE-0006] (RIN: 1840-AD11) received July 18, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

7123. A letter from the Deputy Director for Policy, Pension Benefit Guaranty Corporation, transmitting the Corporation's final rule — Allocation of Assets in Single-Employer Plans; Benefits Payable in Terminated Single-Employer Plans; Interest Assumptions for Valuing and Paying Benefits received July 5, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

7124. A letter from the Director, Regulations Policy and Management Staff, Department of Health and Human Services, transmitting the Department's final rule — Effec-

tive Date of Requirement for Premarket Approval for Cardiovascular Permanent Pacemaker Electrode [Docket No.: FDA-2011-N-0505] received July 18, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7125. A letter from the Director, Regulations Policy and Management Staff, Department of Health and Human Services, transmitting the Department's final rule — D&C Red No. 6 and D&C Red No. 7; Change in Specification [Docket No.: FDA-2011-C-0050] received July 18, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7126. A letter from the Assistant Secretary for Export Administration, Department of Commerce, transmitting the Department's final rule — Amendment to Existing Validated End-User Authorizations: Hynix Semiconductor China Ltd., Hynix Semiconductor (Wuxi) Ltd., and Boeing Tianjin Composites Co. Ltd. in the People's Republic of China [Docket No.: 120608159-2159-01] (RIN: 0694-AF71) received July 11, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Foreign Affairs.

7127. 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 terrorists who threaten to disrupt the Middle East peace process that was declared in Executive Order 12947 of January 23, 1995; to the Committee on Foreign Affairs.

7128. A letter from the Chairman of the Council, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-396, "Fiscal Year 2012 Second Revised Budget Request Temporary Adjustment Act of 2012"; to the Committee on Oversight and Government Reform.

7129. A letter from the Chairman of the Council, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-397, "Saving D.C. Homes from Foreclosure Enhanced Temporary Amendment Act of 2012"; to the Committee on Oversight and Government Reform.

7130. A letter from the Chairman of the Council, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-398, "Social E-Commerce Job Creation Tax Incentive Act of 2012"; to the Committee on Oversight and Government Reform.

7131. A letter from the Executive Analyst, Department of Health and Human Services, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

7132. A letter from the Acting Assistant Attorney General, Department of Justice, transmitting the Department's annual report for Fiscal Year 2011 prepared in accordance with Section 203(a) of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act), Public Law 107-174; to the Committee on Oversight and Government Reform.

7133. A letter from the Inspector General, General Services Administration, transmitting the Administration's semiannual report from the Office of the Inspector General during the 6-month period ending March 31, 2012; to the Committee on Oversight and Government Reform.

7134. A letter from the Assistant Administrator for Procurement, National Aeronautics and Space Administration, transmitting the Administration's final rule — Award Fee for Service and End-Item Contracts (RIN: 2700-AD70) received July 5, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Science, Space, and Technology.

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. LUNGREN, DANIEL E. of California: Committee on House Administration. H.R. 406. A bill to amend the Federal Election Campaign Act of 1971 to permit candidates for election for Federal office to designate an individual who will be authorized to disburse funds of the authorized campaign committees of the candidate in the event of the death of the candidate (Rept. 112-628). Referred to the Committee of the Whole House on the state of the Union.

Mr. DREIER: Committee on Rules. H.R. 6169. A bill to provide for expedited consideration of a bill providing for comprehensive tax reform (Rept. 112-629). Referred to the House Calendar.

Mr. ISSA: Committee on Oversight and Government Reform. H.R. 4365. A bill to amend title 5, United States Code, to make clear that accounts in the Thrift Savings Fund are subject to certain Federal tax levies; with an amendment (Rept. 112-630). 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. LEVIN (for himself, Ms. PELOSI, Mr. HOYER, Mr. CLYBURN, Mr. RANGEL, Mr. McDERMOTT, Mr. LEWIS of Georgia, Mr. NEAL, Mr. LARSON of Connecticut, Mr. BLUMENAUER, Mr. PASCRELL, Mr. CROWLEY, Mr. VAN HOLLEN, Mr. DICKS, Ms. CHU, Mr. HONDA, Mr. TONKO, Ms. HAHN, Mr. GEORGE MILLER of California, Mr. WELCH, Mr. RICHMOND, Mr. CICILLINE, Ms. SCHAKOWSKY, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. SERRANO, Mrs. CAPPS, and Ms. PINGREE of Maine):

H.R. 15. A bill to amend the Internal Revenue Code of 1986 to provide tax relief to middle-class families; to the Committee on Ways and Means, and in addition to the Committee on the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LEVIN (for himself, Ms. PELOSI, Mr. HOYER, Mr. CLYBURN, Mr. RANGEL, Mr. LEWIS of Georgia, Mr. NEAL, Mr. LARSON of Connecticut, Mr. CROWLEY, Mr. BLUMENAUER, Mr. PASCRELL, Mr. VAN HOLLEN, and Mrs. CAPPS):

H.R. 16. A bill to provide estate, gift, and generation-skipping transfer tax relief; to the Committee on Ways and Means, and in addition to the Committee on the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LUCAS:

H.R. 6228. A bill to provide a one-year extension of the Food, Conservation, and Energy Act of 2008, with certain modifications and exceptions, to make supplemental agricultural disaster assistance available for fiscal years 2012 and 2013, and for other purposes; to the Committee on Agriculture.

By Mrs. BIGGERT (for herself and Mr. MCNERNEY):

H.R. 6229. A bill to reauthorize the United States Fire Administration, and for other

purposes; to the Committee on Science, Space, and Technology.

By Mr. ISRAEL:

H.R. 6230. A bill to amend title II of the Elementary and Secondary Education Act of 1965 to establish a Federal "Grow Your Own Teacher" program, and for other purposes; to the Committee on Education and the Workforce.

By Mr. RIBBLE (for himself and Mr. DUFFY):

H.R. 6231. A bill to authorize the Secretary of Agriculture to use funds derived from conservation-related programs executed on National Forest System lands to utilize the Agriculture Conservation Experienced Services Program; to the Committee on Agriculture, and in addition to the Committee on Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

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. LEVIN:

H.R. 15.

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

The Congress enacts this bill pursuant to Sections 7 & 8 of Article I of the United States Constitution and Amendment XVI of the United States Constitution.

By Mr. LEVIN:

H.R. 16.

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

The Congress enacts this bill pursuant to Sections 7 & 8 of Article I of the United States Constitution and Amendment XVI of the United States Constitution.

By Mr. LUCAS:

H.R. 6228.

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

The ability to regulate interstate commerce pursuant to Article 1, Section 8, Clause 3.

By Mrs. BIGGERT:

H.R. 6229.

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

Article I, Section 8, Clause 18—To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. ISRAEL:

H.R. 6230.

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

Article I, Section 8, Clause 3 of the United States Constitution

By Mr. RIBBLE:

H.R. 6231.

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. 178: Mr. REHBERG.

H.R. 181: Mr. FINCHER.

H.R. 186: Mr. BOSWELL.

H.R. 273: Mr. FILNER.

H.R. 1063: Mr. BERG.

H.R. 1244: Mr. ROKITA.

H.R. 1370: Mr. MURPHY of Pennsylvania, Mr. MCCLINTOCK, Mr. DUFFY, Ms. HAYWORTH, Mr. DENHAM, Mr. HERGER, Mr. MCKEON, Mr. LEWIS of California, Mr. ROYCE, Mr. DOLD, Mr. CALVERT, Mr. DANIEL E. LUNGREN of California, and Mr. ISSA.

H.R. 1639: Ms. EDDIE BERNICE JOHNSON of Texas, and Mr. TURNER of New York.

H.R. 2524: Mr. MILLER of North Carolina.

H.R. 2773: Mr. FALEOMAVAEGA.

H.R. 2978: Mr. LABRADOR.

H.R. 3242: Mr. RANGEL.

H.R. 3337: Mr. BERG.

H.R. 3461: Mr. OLSON, Mr. CASSIDY, and Mrs. BLACK.

H.R. 3646: Mr. TIERNEY.

H.R. 3798: Mr. ROYCE and Mr. BISHOP of New York.

H.R. 4235: Mr. KIND, Mr. ROSS of Florida, and Mr. ROONEY.

H.R. 4405: Mr. DIAZ-BALART, Ms. CLARKE of New York, Mr. ELLISON, Mr. DREIER, Mr. GRIJALVA, and Mr. CROWLEY.

H.R. 5830: Mr. RANGEL, Mr. BUCHANAN, Mr. LOBIONDO, Mr. ROE of Tennessee, and Mr. COFFMAN of Colorado.

H.R. 5910: Mr. DAVIS of Kentucky.

H.R. 5914: Mr. BISHOP of New York.

H.R. 5925: Mr. DUNCAN of Tennessee.

H.R. 6009: Mr. MCCLINTOCK.

H.R. 6043: Mr. LOEBSACK, Mr. GUTHRIE, and Mr. GENE GREEN of Texas.

H.R. 6089: Mr. LABRADOR.

H.R. 6097: Mr. COFFMAN of Colorado.

H.R. 6138: Mr. ELLISON and Mr. HASTINGS of Florida.

H.R. 6151: Mr. PAUL.

H.R. 6176: Mr. PAUL.

H.J. Res. 106: Mr. BOREN.

H.J. Res. 110: Mr. SMITH of New Jersey.

H.J. Res. 112: Mr. FLEISCHMANN, Mr. WALBERG, Mr. LABRADOR, Mr. ROKITA, and Mr. GINGREY of Georgia.

H. Res. 134: Mr. COBLE, Mr. CARSON of Indiana, and Mr. DIAZ-BALART.

H. Res. 378: Mr. LUJÁN.

H. Res. 506: Mr. BURTON of Indiana, Mr. TIERNEY, Mr. VAN HOLLEN, Mr. KELLY, and Mr. WOLF.

H. Res. 687: Mr. BISHOP of New York.

H. Res. 730: Mr. MORAN, Mr. DOGGETT, Mr. KEATING, and Mr. COOPER.

CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, OR LIMITED TARIFF BENEFITS

Under clause 9 of rule XXI, lists or statements on congressional earmarks, limited tax benefits, or limited tariff benefits were submitted as follows:

OFFERED BY Mr. CAMP

The provisions that warranted a referral to the Committee on Ways and Means in H.R. 8, the "Job Protection and Recession Prevention Act of 2012," do not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI of the Rules of the U.S. House of Representatives.