



United States  
of America

# Congressional Record

PROCEEDINGS AND DEBATES OF THE 112<sup>th</sup> CONGRESS, FIRST SESSION

Vol. 157

WASHINGTON, FRIDAY, DECEMBER 30, 2011

No. 201

## House of Representatives

The House met at 1 p.m. and was called to order by the Speaker pro tempore (Mr. ROONEY).

### DESIGNATION OF THE SPEAKER PRO TEMPORE

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

WASHINGTON, DC,  
December 30, 2011.

I hereby appoint the Honorable THOMAS J. ROONEY to act as Speaker pro tempore on this day.

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

### PRAYER

Reverend Andy Walton, Capitol Hill Presbyterian Church, Washington, D.C., offered the following prayer:

God of time and space, known by many names and sought through many traditions, another calendar draws to a close, yet we are reminded of Your eternal presence.

As this representative body convenes, we remember that Your justice, Your love, Your grace, and Your presence transcend the measure of time and place. You fill these Chambers and the hearts and minds of those who work here, as well as the hopes of the countless people each one represents. Beyond this moment and this place, Your spirit bonds all creation in a tapestry of interdependence, transcending vested interests and personal privilege.

Standing on the threshold of a new year, may we forgive the discord, mistrust, and disappointment of our past, as You have forgiven; and may we receive Your grace-filled future of promise and potential that awaits nothing more or less than our open minds, our loving hearts, and our open arms stretched out to one another and, thus, to You. Amen.

### THE JOURNAL

The SPEAKER pro tempore. Pursuant to section 3(a) of House Resolution 493, 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.

### ADJOURNMENT

The SPEAKER pro tempore. Pursuant to section 3(b) of House Resolution 493, the House stands adjourned until 11 a.m. on Tuesday, January 3, 2012.

Accordingly (at 1 o'clock and 2 minutes p.m.), the House adjourned until Tuesday, January 3, 2012, at 11 a.m.

### EXECUTIVE COMMUNICATIONS, ETC.

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

4417. A communication from the President of the United States, transmitting a letter regarding the designation of Overseas and Contingency Operations/Global War on Terrorism funding; (H. Doc. No. 112-75); to the Committee on Appropriations and ordered to be printed.

4418. A letter from the Acting Under Secretary, Department of Defense, transmitting authorization of two officers to wear the authorized insignia of the grade rear admiral (lower half); to the Committee on Armed Services.

4419. A letter from the Deputy Secretary, Department of Defense, transmitting the Department of Defense Inspector General Semi-annual Report, April 1, 2011 — September 30, 2011; to the Committee on Armed Services.

4420. A letter from the Chief Counsel, Department of Homeland Security, transmitting the Department's final rule — Final Flood Elevation Determinations [Docket ID: FEMA-2011-0002] received December 14, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

4421. A letter from the Chief Counsel, Department of Homeland Security, transmitting the Department's final rule — Final Flood Elevation Determinations [Docket ID: FEMA-2011-0002] received December 14, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

4422. A letter from the Associate General Counsel for Legislation and Regulations, Department of Housing and Urban Development, transmitting the Department's final rule — Homeless Emergency Assistance and Rapid Transition to Housing: Emergency Solutions Grants Program and Consolidated Plan Conforming Amendments [Docket No.: FR-5474-I-01] (RLN: 2506-AC29) received December 19, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

4423. A letter from the Chairman and President, Export-Import Bank, transmitting a report on transactions involving U.S. exports to Turkey pursuant to Section 2(b)(3) of the Export-Import Bank Act of 1945, as amended; to the Committee on Financial Services.

4424. A letter from the Acting Chairman, Federal Deposit Insurance Corporation, transmitting a report entitled, "Merger Decisions 2010", in accordance with Section 18(c)(9) of the Federal Deposit Insurance Act; to the Committee on Financial Services.

4425. A letter from the Secretary, Federal Trade Commission, transmitting the Commission's seventh annual report on Ethanol Market Concentration, pursuant to Section 1501(a)(2) of the Energy Policy Act of 2005; to the Committee on Energy and Commerce.

4426. A letter from the Acting Director, Defense Security Cooperation Agency, transmitting a notice of proposed lease with the Government of Switzerland (Transmittal No. 01-12) pursuant to Section 62(a) of the Arms Export Control Act; to the Committee on Foreign Affairs.

4427. A letter from the Director, International Cooperation, Department of Defense, transmitting Pursuant to Section 27(f) of the Arms Export Control Act and Section 1(f) of Executive Order 11958, Transmittal No. 15-11 informing of an intent to sign a Project Agreement with the State of Israel; to the Committee on Foreign Affairs.

□ 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.



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4428. A letter from the Auditor, Office of the District of Columbia Auditor, transmitting a report entitled, "Audit of the Public Service Commission Agency Fund for Fiscal Years 2006, 2007, 2008", pursuant to D.C. Code section 47-117(d); to the Committee on Oversight and Government Reform.

4429. A letter from the Chairman and Chief Executive Officer, Farm Credit Administration, transmitting the semiannual report on the activities of the Office of Inspector General of the Farm Credit Administration for the period April 1, 2011 through September 30, 2011; and the semiannual Management Report on the Status of Audits for the same period; to the Committee on Oversight and Government Reform.

4430. A letter from the Chairman, Federal Communications Commission, transmitting Commission's Fiscal Year 2011 Agency Financial Report; to the Committee on Oversight and Government Reform.

4431. A letter from the Administrator, General Services Administration, transmitting the Administration's Fiscal Year 2011 Agency Financial Report; to the Committee on Oversight and Government Reform.

4432. A letter from the Board Member, Merit Systems Protection Board, transmitting a report entitled: "Blowing the Whistle: Barriers to Federal Employees Making Disclosures"; to the Committee on Oversight and Government Reform.

4433. A letter from the Chairman and General Counsel, National Labor Relations Board, transmitting the Board's semiannual report from the office of the Inspector General for the period April 1, 2011 through September 30, 2011; to the Committee on Oversight and Government Reform.

4434. A letter from the General Counsel, Department of Justice, transmitting the Department's final rule — Civil Monetary Penalties Inflation Adjustment [EOIR Docket No.: 172; AG Order No.: 3309-2011] (RIN: 1125-AA69) received December 14, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

4435. A letter from the Chair, Sentencing Commission, transmitting a letter in response to the directive in Section 107 of the Comprehensive Iran Sanctions Accountability and Divestment Act of 2010, pursuant to Public Law 111-195, section 107; to the Committee on the Judiciary.

4436. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Turbomeca S.A. arriel 2B Turbohaft Engines [Docket No.: FAA-2011-1031; Directorate Identifier 2011-NE-27-AD; Amendment 39-16871; AD 2011-24-07] (RIN: 2120-AA64) received December 16, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4437. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No.: 30815; Amdt. No. 3454] received December 14, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4438. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Evansville, IN [Docket No.: FAA-2011-0429; Airspace Docket No. 11-AGL-9] received December 14, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4439. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures,

and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No.: 30816; Amdt. No. 3455] received December 14, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4440. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No.: 30812; Amdt. No. 3452] received December 14, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4441. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No.: 30813; Amdt. No. 3453] received December 14, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4442. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule — Certification of Part 23 Turbofan- and Turbojet-Powered Airplanes and Miscellaneous Amendments [Docket No.: FAA-2009-0738; Amendment No. 23-62] (RIN: 2120-AJ22) received December 14, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4443. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule — Harmonization of Various Airworthiness Standards for Transport Category-Flight Rules [Docket No.: FAA-2010-0310; Amdt. No.:25-135] (RIN: 2120-AJ72) received December 14, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4444. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule — Damage Tolerance and Fatigue Evaluation of Composite Rotorcraft Structures [Docket No.: FAA-2009-0660; Amdt. Nos. 27-47, 29-54] (RIN: 2120-AJ52) received December 14, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4445. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Recurring item exception to the economic performance requirement (Rev. Rul. 2012-1) received December 15, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

4446. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — 2012 Standard Mileage Rates [Notice 2012-1] received December 15, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

4447. A letter from the Secretary, Department of Health and Human Services, transmitting the Department's report entitled, "Report to Congress on the Evaluation of the Quality Improvement Organization Program for Medicare Beneficiaries for Fiscal Year 2008"; jointly to the Committees on Ways and Means and Energy and Commerce.

#### 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 report was filed on December 28, 2011]

Mr. KING of New York: Committee on Homeland Security. Second Semiannual Report on Legislative and Oversight Activities of the Committee on Homeland Security (Rept. 112-351). Referred to the Committee of the Whole House on the state of the Union.

[The following report was filed on December 29, 2011]

Mr. SMITH of Texas: Committee on the Judiciary. Second Semiannual Activity Report of the Committee on the Judiciary of the United States House of Representatives for the Period January 5, 2011 through November 30, 2011 (Rept. 112-352). Referred to the Committee of the Whole House on the state of the Union.

Mr. ROGERS of Michigan: Permanent Select Committee on Intelligence. Second Semiannual Report of the Activity of the House Permanent Select Committee on Intelligence for the One Hundred and Twelfth Congress (Rept. 112-353). Referred to the Committee of the Whole House on the state of the Union.

[Submitted December 30, 2011]

Mr. ROGERS of Kentucky: Committee on Appropriations. Second Semiannual Report on Activities of the Committee on Appropriations During the 112th Congress, First Session (Rept. 112-354). Referred to the Committee of the Whole House on the state of the Union.

Mr. BACHUS: Committee on Financial Services. Second Semiannual Report on the Activities of the Committee on Financial Services During the 112th Congress (Rept. 112-355). Referred to the Committee of the Whole House on the state of the Union.

Mr. CAMP: Committee on Ways and Means. Second Semiannual Report on the Legislative and Oversight Activities of the Committee on Ways and Means During the 112th Congress (Rept. 112-356). Referred to the Committee of the Whole House on the state of the Union.

Mr. DREIER: Committee on Rules. Second Semiannual Survey of Activities of the House Committee on Rules for the First Session of the 112th Congress (Rept. 112-357). Referred to the Committee of the Whole House on the state of the Union.

Mr. RYAN of Wisconsin: Committee on the Budget. Second Semiannual Activities and Summary Report of the Committee on the Budget Second Quarter 112th Congress (Rept. 112-358). Referred to the Committee of the Whole House on the state of the Union.

Mr. McKEON: Committee on Armed Services. Second Semiannual Report on the Activities of the Committee on Armed Services for the One Hundred Twelfth Congress (Rept. 112-359). Referred to the Committee of the Whole House on the state of the Union.

Mr. DANIEL E. LUNGREN of California: Committee on House Administration. Second Semiannual Report on the Activities of the Committee on House Administration During the One Hundred Twelfth Congress. (Rept. 112-360). Referred to the Committee of the Whole House on the state of the Union.

#### PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII,

Mr. KELLY introduced a bill (H.R. 3768) to amend the Internal Revenue Code of 1986 to repeal the credit for plug-in electric drive vehicles; which was referred to the Committee on Ways and Means.

mitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

shall be uniform throughout the United States.

Mr. KELLY:

H.R. 3768.  
Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8—Powers of Congress  
The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises

ADDITIONAL SPONSORS  
Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:  
H.R. 835: Mr. ADERHOLT.  
H.R. 1063: Mr. RANGEL, and Mr. DANIEL E. LUNGREN of California.  
H.R. 3042: Mr. SCHILLING.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are sub-



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# Congressional Record

PROCEEDINGS AND DEBATES OF THE 112<sup>th</sup> CONGRESS, FIRST SESSION

Vol. 157

WASHINGTON, FRIDAY, DECEMBER 30, 2011

No. 201

## Senate

The Senate met at 11 and 2 seconds a.m., and was called to order by the Honorable JACK REED, a Senator from the State of Rhode Island.

### APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. INOUYE).

The assistant bill clerk read the following letter:

U.S. SENATE,  
PRESIDENT PRO TEMPORE,  
Washington, DC, December 30, 2011.

*To the Senate:*

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable JACK REED, a Senator from the State of Rhode Island, to perform the duties of the Chair.

DANIEL K. INOUYE,  
*President pro tempore.*

Mr. REED thereupon assumed the chair as Acting President pro tempore.

ADJOURNMENT UNTIL TUESDAY,  
JANUARY 3, 2012, AT 12 NOON

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate stands adjourned until Tuesday, January 3, 2012, and will reconvene for the Second Session of the 112th Congress at 12 noon.

Thereupon, the Senate, at 11 and 34 seconds a.m., adjourned until Tuesday, January 3, 2012, at 12 noon.

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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## EXTENSIONS OF REMARKS

A TRIBUTE TO THE LIFE OF DOUG  
MADDOX

**HON. JIM COSTA**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Friday, December 30, 2011*

Mr. COSTA. Mr. Speaker, today I rise with a heavy heart to pay tribute to the life of my dear friend and celebrated dairyman, Doug Maddox. One of our Nation's most principled and innovative farmers, Doug passed away on December 19, 2011, at the age of 75. Doug's immense impact on the San Joaquin Valley, California, and our Nation will ensure that his legacy lives on for years to come.

Doug was born in Hanford, California, under what he described as "dirt-poor" conditions. From the time he was six years old until he was in college he picked cotton by hand and was an integral part of his family's farm, which was located in Laton, California.

Doug was passionate in everything he did. Although his family did not operate a dairy farm, Doug's entrepreneurial spirit led him to enter the dairy industry after a neighbor gave him a bull calf. Doug's neighbor gave him this bull calf with the condition that Doug attend college. This gift changed Doug's life. By the time he graduated high school, he had two

calves and two heifers. Upon graduating from high school, Doug attended Cal Poly San Luis Obispo where he was an active and dedicated student. Doug left college with 14 cows and 14 heifers.

Doug went on to establish RuAnn and Maddox Dairies in Riverdale, California. The name RuAnn is a combination of his parents' names: Rufus and Annie. Over the years, Doug and his family grew their operation to one of the largest in the Nation. RuAnn and Maddox dairies have over 5,000 registered Holstein cows, with over 12,000 total animals. Doug also farmed 10,000 acres, 5,000 of which included almonds and vineyards, with the remainder used as cropland for the dairy herd.

Doug had an unwavering love for the San Joaquin Valley and was well aware of the issues it faced. Not only did he work tirelessly to ensure the success of his business, he also dedicated his time to ensuring the health of our Valley. He committed time to visit Washington, D.C., to discuss dairy legislation with members of Congress. In addition, Doug advised the Riverdale District School Board, the National Dairy Herd Information Association (DHIA), the California Department of Food and Agriculture State Board, the California Milk Marketing Producer Review Board, and Holstein Association USA. He was past president of both California DHIA and Holstein Associa-

tion USA. Doug also demonstrated his passion for agriculture by mentoring future farmers and leaders.

Doug's many accomplishments did not go unnoticed. He was honored by Cal Poly as an Outstanding Alum in the School of Agriculture. He was also honored by the National Dairy Shrine as the Distinguished Cattle Breeder, by Holstein USA as the Elite Breeder, and as Outstanding Dairy Producer by the World Agriculture Exposition in Tulare, California, one of the largest in the world.

Doug always placed the utmost importance on loyalty and friendship. Through times of adversity, Doug could always be counted on to provide advice and counsel. He is survived by his loving wife Matilda; his four children, Steve, Patrick, Julia, and Liz; and his beloved grandchildren, many of whom are active in the family business.

Doug's unique combination of knowledge, dedication, and resolve remains unmatched. Doug's jovial demeanor will forever be remembered. He was a first class gentleman who always aspired to help his industry, his State, and his country. As we reflect on the relationships Doug formed and the partnerships he made, let us aspire to lead a life like Doug's—one filled with determination, compassion, and love.

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● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

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

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Friday, December 30, 2011

# Daily Digest

## Senate

### Chamber Action

*Routine Proceedings, page S8793*

The Senate met at 11:00:02 a.m. in pro forma session, and adjourned at 11:00:34 a.m. until 12 noon, on Tuesday, January 3, 2012.

### Committee Meetings

No hearings were held.

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## House of Representatives

### Chamber Action

**Public Bills and Resolutions Introduced:** 1 public bill, H.R. 3768 was introduced. **Pages H10032–33**

**Additional Cosponsors:** **Page H10033**

**Reports Filed:** A report was filed on December 28, 2011 as follows:

Second Semiannual Legislative and Oversight Activities of the Committee on Homeland Security (H. Rept. 112–351).

A report was filed on December 29, 2011 as follows:

Second Semiannual Activity Report of the Committee on the Judiciary of the United States House of Representatives for the Period January 5, 2011 through November 30, 2011 (H. Rept. 112–352).

Reports were filed today as follows:

Second Semiannual Report of the Activity of the House Permanent Select Committee on Intelligence for the One Hundred and Twelfth Congress (H. Rept. 112–353);

Second Semiannual Report on Activities of the Committee on Appropriations During the 112th Congress, First Session (H. Rept. 112–354);

Second Semiannual Report on the Activities of the Committee on Financial Services During the 112th Congress (H. Rept. 112–355);

Second Semiannual Report on the Legislative and Oversight Activities of the Committee on Ways and Means During the 112th Congress (H. Rept. 112–356);

Second Semiannual Survey of Activities of the House Committee on Rules for the First Session of the 112th Congress (H. Rept. 112–357);

Second Semiannual Activities and Summary Report of the Committee on the Budget Second Quarter 112th Congress (H.Rept. 112–358); and

Second Semiannual Report on the Activities of the Committee on Armed Services for the One Hundred Twelfth Congress (H. Rept. 112–359).

Second Semiannual Report on the Activities of the Committee on Administration During the One Hundred Twelfth Congress (H. Rept. 112–360).

**Page H10032**

**Speaker:** Read a letter from the Speaker wherein he appointed Representative Rooney to act as Speaker pro tempore for today.

**Page H10031**

**Chaplain:** The prayer was offered by the guest chaplain, Rev. Andy Walton, Capitol Hill Presbyterian Church, Washington DC.

**Page H10031**

**Quorum Calls—Votes:** There were no Yea and Nay votes, and there were no Recorded votes. There were no quorum calls.

**Adjournment:** The House met at 1 p.m. and adjourned at 1:02 p.m.

### Committee Meetings

No hearings were held.

**COMMITTEE MEETINGS FOR TUESDAY,  
JANUARY 3, 2012**

*(Committee meetings are open unless otherwise indicated)*

**House**

No hearings are scheduled.

**Senate**

No meetings/hearings scheduled.

*Next Meeting of the SENATE*

12 noon, Tuesday, January 3

*Next Meeting of the HOUSE OF REPRESENTATIVES*

11 a.m., Tuesday, January 3

Senate Chamber

**Program for Tuesday:** Senate will meet in a pro forma session and convene the 2nd session of the 112th Congress.

House Chamber

**Program for Tuesday:** Convening of the second session of the 112th Congress.

## Extensions of Remarks, as inserted in this issue

HOUSE

Costa, Jim, Calif., E2347



# Congressional Record

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