

veto message on H.R. 3808 is laid before the House on this legislative day, then after the message is read and the objections of the President are spread at large upon the Journal, further consideration of the veto message and the bill shall be postponed until the legislative day of Wednesday, November 17, 2010; and that on that legislative day, the House shall proceed to the constitutional question of reconsideration and dispose of such question without intervening motion.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

#### HOUR OF MEETING ON TOMORROW

Mr. SCOTT of Virginia. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 12:30 p.m. tomorrow for morning-hour debate.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

#### 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, October 8, 2010.*

Hon. NANCY PELOSI,  
*The Speaker, The Capitol, House of Representatives, Washington, DC.*

DEAR MADAM SPEAKER: Pursuant to the permission granted in Clause 2(h) of rule II of the Rules of the U.S. House of Representatives, I have the honor to transmit H.R. 3808, the "Interstate Recognition of Notarization Act of 2010," and a Memorandum of Disapproval thereon received from the White House on October 8, 2010, at 12:55 p.m.

With best wishes, I am

Sincerely,

LORRAINE C. MILLER,  
*Clerk of the House.*

#### INTERSTATE RECOGNITION OF NOTARIZATIONS ACT OF 2010— VETO MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 111-152)

The SPEAKER pro tempore laid before the House the following veto message from the President of the United States:

#### MEMORANDUM OF DISAPPROVAL

It is necessary to have further deliberations about the possible unintended impact of H.R. 3808, the "Interstate Recognition of Notarizations Act of 2010," on consumer protections, including those for mortgages, before the bill can be finalized. Accordingly, I am withholding my approval of this bill. (The Pocket Veto Case, 279 U.S. 655 (1929)).

The authors of this bill no doubt had the best intentions in mind when try-

ing to remove impediments to interstate commerce. My Administration will work with them and other leaders in Congress to explore the best ways to achieve this goal going forward.

To leave no doubt that the bill is being vetoed, in addition to withholding my signature, I am returning H.R. 3808 to the Clerk of the House of Representatives, along with this Memorandum of Disapproval.

BARACK OBAMA.

THE WHITE HOUSE, *October 8, 2010.*

The SPEAKER pro tempore. The objections of the President will be spread at large upon the Journal, and the veto message and the bill will be printed as a House document.

Pursuant to the order of the House of today, further consideration of the veto message and the bill are postponed until the legislative day of Wednesday, November 17, 2010, and that on that legislative day, the House shall proceed to the constitutional question of reconsideration and dispose of such question without intervening motion.

#### THE U.S. VIRGIN ISLANDS ARE FLOODED

(Mrs. CHRISTENSEN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. CHRISTENSEN. Mr. Speaker, the national media ignored it, so I want the Nation to know of the devastating floods that occurred in the U.S. Virgin Islands in the last few weeks. First there were the dangerous mudslides, caused by Earl and Otto, that trapped residents and undermined the foundations of homes in St. John. But even worse were last week's rains, remnants of Tomas which caused unprecedented flooding that overcame bridges and storm drainage systems in a matter of hours, shutting down roads, washing away vehicles, stranding residents, flooding offices, schools and homes, and devastating the historic west end of St. Croix.

Police and rescue personnel risked their own lives assisting those trapped in homes and stranded on flooded roadways. The floods claimed the life of one St. Croix woman, Ms. Rita Stinson. Our heartfelt condolences are extended to her family and many friends. Thank you to our police, rescue, the Coast Guard, and all who assisted in the search for Rita, the rescue of our residents, and emergency cleanup.

Today damage assessments begin, but we need a disaster declaration because the cost of repairs and mitigation will be in the millions. Colleagues, as I ask you to join in prayers for Ms. Stinson and those who lost homes and property, I ask for your support to repair the damage and meet the needs of my community in the wake of this disaster.

#### HURRICANE HITS WASHINGTON, D.C.

(Mr. POE of Texas asked and was given permission to address the House for 1 minute.)

Mr. POE of Texas. Mr. Speaker, my district is in hurricane alley. Since I've been elected to Congress, we've had five hurricanes: Katrina, Rita, Humberto, Gustav, and Ike. Hurricane season is over in southeast Texas, but hurricane season came late this year to D.C. And as I predicted in September, the fall forecast in Washington was for gale-force winds.

And sure enough, the hurricane hit D.C. on November 2. We warned them. We told them all about the hurricane warning signs. We even gave them an evacuation plan: Stop spending trillions of taxpayer dollars. Say "no" to nationalized health care. Stop the government takeover of everything that moves. Stop the taxes, and quit borrowing money from the Chinese. And most importantly, listen to the American people. But they didn't listen, and a hurricane named after the American people blew through town. And it was a category 5, with 63 electoral casualties. The elites and big government control gang have sown the wind, and now they are reaping the whirlwind.

And that's just the way it is.

#### WELCOME BACK

(Mr. CONYERS asked and was given permission to address the House for 1 minute.)

Mr. CONYERS. I wanted to welcome Judge POE back after the hurricanes that he predicted. And there's nothing more gracious than starting off the session with an "I told you so" lecture. And so I am going to be remembering everything that the gentleman said and try to take it to heart as much as I can.

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#### CONGRESSIONAL OVERSIGHT

(Mr. BURGESS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BURGESS. Mr. Speaker, as we've heard, a new Congress was elected 2 weeks ago. But now the American people are anxious because the old Congress is back in town to finish the unfinished business. And to be sure, there are some things that need to be taken care of; but what remains of this Congress must be careful not to overstep its bounds.

We saw what happened with the passage of a deeply, deeply unpopular health care law. That repeal vote needs to come quickly in the next Congress; and, quite honestly, it can't come quickly enough.

But as long as we're here, as long as we're here doing the people's business, how about if we exercised some of that famous congressional oversight and

asked some of the heads of the Federal agencies to come into the relevant committees and talk about what their plans are for implementation of these rules in the health care law?

What about these new Federal agencies that are being created even as we speak with new office space being rented and personnel being hired?

What about these waivers that, over the last 2½ weeks, have just snowballed out of the White House, and what about the health exchanges that even now our State legislatures are being asked to create?

Oversight was eliminated by the last Congress; it will not be overlooked by the next.

#### THE AMERICAN PEOPLE HAVE SPOKEN

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Mr. Speaker, after a year of having their requests for job creation policies fall on deaf ears, the American people have not only spoken; they've been finally heard.

When it came to job creation, the American people made it perfectly clear they are no longer willing to play the waiting game. For 15 straight months over 14 million citizens have been without jobs. Despite these dismal numbers, liberal leaders in Congress continue to push for more strangling regulations and more government spending.

I believe this is a new day, with a new way forward, including extending tax cuts and passing tax relief for all Americans, while providing the incentives to business to create jobs.

It is now time to get the economy rolling, get people back to work, and get rid of Washington's runaway spending.

In conclusion, God bless our troops, and we will never forget September 11th in the global war on terrorism.

Best wishes for a speedy recovery to Specialist Joseph Deloach and Specialist Jeremiah Ashley, wounded warriors and American heroes whom I visited today receiving world-class care at Walter Reed Army Medical Center.

#### TAX UNCERTAINTY COULD HURT CHARITABLE GIVING

(Mr. PAULSEN asked and was given permission to address the House for 1 minute.)

Mr. PAULSEN. Mr. Speaker, Americans donate their time and resources to charitable organizations not only because of their generosity, but because they know that these actions will help enhance our communities, improve opportunities for our children, and create higher standards of living for our neighbors.

As our economy continues to stagnate, we need to do all that we can to

help these charities who provide services for communities all over this country.

That's why today I want to remind my colleagues that January is fast approaching, and that means the largest tax increases in American history are just around the corner. With the traditional season of giving well under way, tax uncertainty is causing individual and corporate charitable donors to think twice before opening their wallets; and that's, in turn, worrying many charities across this country in their greatest time of need.

Mr. Speaker, it is time that this Congress take action and address this issue on behalf of all Americans.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Record votes on postponed questions will be taken after 6 p.m. today.

#### PROVIDING FOR CONSIDERATION OF H.R. 5566 AND THE SENATE AMENDMENT THERETO

Mr. CONYERS. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 1712) providing for consideration of the bill H.R. 5566 and the Senate amendment thereto.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 1712

*Resolved*, That upon the adoption of this resolution, the House shall be considered to have taken from the Speaker's table the bill H.R. 5566 and amendment of the Senate thereto, and to have concurred in the amendment of the Senate to the text with an amendment as follows: in lieu of the matter proposed to be inserted by the Senate, insert the following:

##### "SECTION 1. SHORT TITLE.

"This Act may be cited as the 'Animal Crush Video Prohibition Act of 2010'.

##### "SEC. 2. FINDINGS.

"The Congress finds the following:

"(1) The United States has a long history of prohibiting the interstate sale, marketing, advertising, exchange, and distribution of obscene material and speech that is integral to criminal conduct.

"(2) The Federal Government and the States have a compelling interest in preventing intentional acts of extreme animal cruelty.

"(3) Each of the several States and the District of Columbia criminalize intentional acts of extreme animal cruelty, such as the intentional crushing, burning, drowning, suffocating, or impaling of animals for no socially redeeming purpose.

"(4) There are certain extreme acts of animal cruelty that appeal to a specific sexual fetish. These acts of extreme animal cruelty are videotaped, and the resulting video tapes

are commonly referred to as 'animal crush videos'.

"(5) The Supreme Court of the United States has long held that obscenity is an exception to speech protected under the First Amendment to the Constitution of the United States.

"(6) In the judgment of Congress, many animal crush videos are obscene in the sense that the depictions, taken as a whole—

"(A) appeal to the prurient interest in sex;

"(B) are patently offensive; and

"(C) lack serious literary, artistic, political, or scientific value.

"(7) Serious criminal acts of extreme animal cruelty are integral to the creation, sale, distribution, advertising, marketing, and exchange of animal crush videos.

"(8) The creation, sale, distribution, advertising, marketing, and exchange of animal crush videos is intrinsically related and integral to creating an incentive for, directly causing, and perpetuating demand for the serious acts of extreme animal cruelty the videos depict. The primary reason for those criminal acts is the creation, sale, distribution, advertising, marketing, and exchange of the animal crush video image.

"(9) The serious acts of extreme animal cruelty necessary to make animal crush videos are committed in a clandestine manner that—

"(A) allows the perpetrators of such crimes to remain anonymous;

"(B) makes it extraordinarily difficult to establish the jurisdiction within which the underlying criminal acts of extreme animal cruelty occurred; and

"(C) often precludes proof that the criminal acts occurred within the statute of limitations.

"(10) Each of the difficulties described in paragraph (9) seriously frustrates and impedes the ability of State authorities to enforce the criminal statutes prohibiting such behavior.

##### "SEC. 3. ANIMAL CRUSH VIDEOS.

"(a) IN GENERAL.—Section 48 of title 18, United States Code, is amended to read as follows:

##### "§ 48. Animal crush videos

"(a) DEFINITION.—In this section the term "animal crush video" means any photograph, motion-picture film, video or digital recording, or electronic image that—

"(1) depicts actual conduct in which 1 or more living non-human mammals, birds, reptiles, or amphibians is intentionally crushed, burned, drowned, suffocated, impaled, or otherwise subjected to serious bodily injury (as defined in section 1365 and including conduct that, if committed against a person and in the special maritime and territorial jurisdiction of the United States, would violate section 2241 or 2242); and

"(2) is obscene.

"(b) PROHIBITIONS.—

"(1) CREATION OF ANIMAL CRUSH VIDEOS.—It shall be unlawful for any person to knowingly create an animal crush video, if—

"(A) the person intends or has reason to know that the animal crush video will be distributed in, or using a means or facility of, interstate or foreign commerce; or

"(B) the animal crush video is distributed in, or using a means or facility of, interstate or foreign commerce.

"(2) DISTRIBUTION OF ANIMAL CRUSH VIDEOS.—It shall be unlawful for any person to knowingly sell, market, advertise, exchange, or distribute an animal crush video in, or using a means or facility of, interstate or foreign commerce.

"(c) EXTRATERRITORIAL APPLICATION.—Subsection (b) shall apply to the knowing sale, marketing, advertising, exchange, distribution, or creation of an animal crush video outside of the United States, if—