

branch the power, the discretion, and the authority to make intelligent decisions. We can all agree or disagree whether the current or next administration makes intelligent decisions. That's what political debate is about. But we shouldn't tie their hands. We should let them use military tribunals; although, I hope they do that very sparingly. We should let them use Article 3 courts as American tradition and justice would normally dictate, and we should stand on our Constitution and our traditions of due process. And, therefore, I support the amendment.

Mr. McKEON. Mr. Chairman, I yield 1 minute to my friend and colleague, the gentleman from Illinois (Mr. SCHILLING).

Mr. SCHILLING. Thank you, Chairman.

I oppose this amendment for a very simple but serious reason. This amendment seeks to loosen the prohibition on detainee transfers from Guantanamo into the United States. I must strongly oppose it.

The amendment would permit the President to commence detainee transfers merely by producing a plan and receiving certification from the Attorney General. It gives Congress no authority to alter or disapprove such a plan once submitted. This is fundamentally no different from the state of affairs that existed in 2009 when President Obama and Attorney General Holder created a fiasco by trying to bring Khalid Sheikh Mohammed to New York for trial.

By seeking to strike section 1037, this amendment would also pave the way for transfer of detainees to military bases inside of the United States prior to prosecution or civilian facilities like Thompson prison, which is in my home State of Illinois.

There is no reason to bring detainees to the United States of America. I have been to Guantanamo, and the detention facilities there are state-of-the-art facilities. They are safe and humane.

I want to thank our soldiers who stand guard day and night with the worst of the worst.

Mr. SMITH of Washington. Mr. Chair, I yield 2 minutes to the gentleman from New Jersey (Mr. ANDREWS).

(Mr. ANDREWS asked and was given permission to revise and extend his remarks.)

Mr. ANDREWS. Mr. Chairman, I assume we universally share the view that we want those who have committed acts of terrorism against innocent people be brought to justice. And we have entrusted that responsibility to prosecutors in the military, the Justice Department, and to our intelligence community. This amendment lets those prosecutors do their job unimpeded by judgments that we are making without all the facts.

If this amendment doesn't pass, the underlying bill says to those prosecutors, even if you think, as has been the case with over 400 other suspects convicted in Article 3 courts, that an Arti-

cle 3 trial is the right thing to do, you may not do it. It says to those prosecutors, even if you think live testimony from a Guantanamo detainee in a criminal court in this country in someone else's trial will help you win a conviction, you may not do it. Even if you think that we could gain standing with allies by having such a person tried in another jurisdiction, it would achieve a better result for our country and for an alliance against terrorism, you may not make that choice.

Congress should set broad policy for our country. We should not Monday morning quarterback or backseat drive. By limiting the options of our prosecutors, I believe that's what we're doing, and we are risking the undesired and ironic result that will make it more difficult for those with whom we've entrusted this task to achieve the goal of bringing these people to justice.

Mr. SMITH's amendment is well considered. It broadens the options of those prosecutors and, I think, hastens the day when those who deserve to be brought to justice will, in fact, be brought to justice.

I urge a "yes" vote on Mr. SMITH's amendment.

Mr. McKEON. Mr. Chairman, I yield 1 minute to my friend and colleague, the gentleman from Virginia (Mr. WITTMAN).

## NOTICE

*Incomplete record of House proceedings. Except for concluding business which follows, today's House proceedings will be continued in the next issue of the Record.*

### EXECUTIVE COMMUNICATIONS, ETC.

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

1673. A letter from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Department of Energy, transmitting the Department's final rule — Energy Conservation Program: Energy Conservation Standards for Residential Clothes Dryers and Room Air Conditioners [Docket Number: EERE-2007-BT-STD-0010] (RIN: 1904-AA89) received April 21, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1674. A letter from the Deputy Director, Regulations Policy and Management Staff, Department of Health and Human Services, transmitting the Department's final rule — Medical Devices; Obstetrical and Gynecological Devices; Classification of the Hemorrhoid Prevention Pressure Wedge [Docket No.: FDA-2011-N-0118] received May 2, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1675. A letter from the Chairman, Broadcasting Board of Governors, transmitting a report providing information on U.S.-funded international broadcasting efforts in Iran pursuant to the requirements of Section 1264 of the National Defense Authorization Act; to the Committee on Foreign Affairs.

1676. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting a report on progress toward a negotiated solution of the Cyprus question covering the period December 1, 2010 through January 31, 2011 pursuant to Section 620C(c) of the Foreign Assistance Act of 1961 as amended; to the Committee on Foreign Affairs.

1677. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting a report concerning proposed amendments to parts 120 and 124 of the International Traffic in Arms Regulations (ITAR), promulgated pursuant to the Arms Export Control Act, 22 U.S.C. Section 2778 et seq; to the Committee on Foreign Affairs.

1678. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Protective Regulations for Killer Whales in the Northwest Region Under the Endangered Species Act and Marine Mammal Protection Act [Docket No.: 070821475-91169-02] (RIN: 0648-AV15) received May 5, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

1679. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Northeastern United States; Summer Flounder Fishery; Quota

Transfer [Docket No.: 101029427-0609-02] (RIN: 0648-XA301) received May 5, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

1680. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pollock in Statistical Area 620 in the Gulf of Alaska [Docket No.: 101126522-0640-02] (RIN: 0648-XA319) received May 5, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

1681. 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.: 30776; Amdt. No. 3420] received May 5, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1682. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Creighton, NE [Docket No.: FAA-2010-1170; Airspace Docket No. 10-ACE-13] received May 5, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1683. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule —

Amendment of Class E Airspace; West Yellowstone, MT [Docket No.: FAA-2010-1209; Airspace Docket No. 10-ANM-10] received May 5, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1684. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Kahului, HI [Docket No.: FAA-2010-1233; Airspace Docket No. 10-AWP-21] received May 5, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1685. A letter from the Administrator, Environmental Protection Agency, transmitting the Environmental Protection Agency (EPA)'s Report on the Great Lakes Ecosystem to Congress as required by Section 118 of the Clean Water Act; to the Committee on Transportation and Infrastructure.

1686. A letter from the President and Chief Executive Officer, National Railroad Passenger Corporation, transmitting Amtrak's Fiscal Year 2012 General and Legislative Annual Report pursuant to Section 24315(b) of Title 49 U.S. Code and the "Consolidated Appropriations Act, 2010" (P.L. 111-117); to the Committee on Transportation and Infrastructure.

1687. A letter from the Deputy Chief Counsel, Regulations and Security Standards, Department of Homeland Security, transmitting the Department's final rule — Reporting of Security Issues [Docket No.: TSA-2009-0014; Amendment No. 1503-4] (RIN: 1652-AA66) received April 15, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Homeland Security.

#### 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. BACHUS: Committee on Financial Services. H.R. 1315. A bill to amend the Dodd-Frank Wall Street Reform and Consumer Protection Act to strengthen the review authority of the Financial Stability Oversight Council of regulations issued by the Bureau of Consumer Financial Protection, with an amendment (Rept. 112-89). 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. STARK (for himself, Mr. COURTNEY, Mr. PAULSEN, Mr. TIBERI, Mr. CROWLEY, Mr. McDERMOTT, Mr. RANGEL, Mr. HERGER, and Mr. REICHERT):

H.R. 1978. A bill to amend the Internal Revenue Code of 1986 to permit the disclosure of certain tax return information for the purpose of missing or exploited children investigations; to the Committee on Ways and Means.

By Mr. ANDREWS:

H.R. 1979. A bill to amend title 10, United States Code, to expand eligibility for concurrent receipt of military retired pay and veterans' disability compensation to include additional chapter 61 disability retirees, to coordinate eligibility for combat-related special compensation and concurrent receipt, to eliminate the reduction of SBP survivor annuities by dependency and indemnity com-

pensation, and to enhance the ability of members of the reserve components who serve on active duty or perform active service to receive credit for such service in determining eligibility for early receipt of non-regular service retired pay; to the Committee on Armed Services, and in addition to the Committee on Veterans' Affairs, 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. RUNYAN (for himself, Mr. WALZ of Minnesota, Mr. GUINTA, Mr. LOBIONDO, Mr. LANCE, Mr. GRIMM, Ms. RICHARDSON, Mr. BACHUS, Mrs. DAVIS of California, Mrs. ELLMERS, Mr. FLORES, Mr. KING of New York, Mrs. McMORRIS RODGERS, Mr. CONAWAY, Mr. BARTLETT, Mr. KISSELL, Mr. GARAMENDI, Mr. TURNER, Mr. CRITZ, Mr. GARRETT, Mr. YOUNG of Indiana, Mr. ISRAEL, Mr. PALLONE, Mr. McKEON, Mr. GRIFFIN of Arkansas, Mr. ROE of Tennessee, Mr. WILSON of South Carolina, and Mr. MCCOTTER):

H.R. 1980. A bill to authorize the Gold Star Mothers National Monument Foundation to establish a national monument in the District of Columbia; to the Committee on Natural Resources.

By Mr. SMITH of Texas (for himself and Ms. WASSERMAN SCHULTZ):

H.R. 1981. A bill to amend title 18, United States Code, with respect to child pornography and child exploitation offenses; to the Committee on the Judiciary.

By Mr. REICHERT (for himself and Mr. THOMPSON of California):

H.R. 1982. A bill to provide a Federal tax exemption for forest conservation bonds, and for other purposes; to the Committee on Ways and Means.

By Mr. FRANK of Massachusetts (for himself, Mr. ROHRABACHER, Mr. STARK, and Mr. POLIS):

H.R. 1983. A bill to provide for the rescheduling of marijuana and for the medical use of marijuana in accordance with the laws of the various States; to the Committee on Energy and Commerce.

By Mr. POLIS (for himself, Mr. STARK, Mr. PAUL, and Mr. FRANK of Massachusetts):

H.R. 1984. A bill to amend title 31, United States Code, to allow States to certify a business as legitimate for purposes of a financial institution's suspicious activity reporting requirements, facilitate unambiguous compliance of such businesses with State law, and provide regulatory relief for financial institutions; to the Committee on Financial Services.

By Mr. STARK (for himself, Mr. ROHRABACHER, Mr. POLIS, Mr. PAUL, and Mr. FRANK of Massachusetts):

H.R. 1985. A bill to amend the Internal Revenue Code of 1986 to allow a deduction for expenses in connection with the trade or business of selling marijuana intended for patients for medical purposes pursuant to State law; to the Committee on Ways and Means.

By Mr. DAVIS of Kentucky (for himself, Mr. CHANDLER, Mr. ROGERS of Kentucky, Mr. WHITFIELD, Mr. YARMUTH, Mr. GUTHRIE, Mr. BOUSTANY, and Mr. SCALISE):

H.R. 1986. A bill to exempt the natural aging process in the determination of the production period for distilled spirits under section 263A of the Internal Revenue Code of 1986; to the Committee on Ways and Means.

By Mr. ACKERMAN:

H.R. 1987. A bill to amend the Securities Investor Protection Act of 1970 to provide insurance coverage for certain indirect inves-

tors caught in Ponzi schemes, and for other purposes; to the Committee on Financial Services.

By Mrs. DAVIS of California (for herself and Ms. SCHWARTZ):

H.R. 1988. A bill to amend the Internal Revenue Code of 1986 to extend the qualifying therapeutic discovery project credit; to the Committee on Ways and Means, and in addition to the Committees on Appropriations, and Energy and Commerce, 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. GRIJALVA:

H.R. 1989. A bill to withdraw certain Federal lands and interests located in Pima and Santa Cruz counties, Arizona, from the mining and mineral leasing laws of the United States, and for other purposes; to the Committee on Natural Resources.

By Mr. GRIJALVA:

H.R. 1990. A bill to expand the boundary of Saguaro National Park, to study additional land for future adjustments to the boundary of the Park, and for other purposes; to the Committee on Natural Resources.

By Mr. GRIJALVA:

H.R. 1991. A bill to direct the Secretary of the Interior to take lands in Yuma County, Arizona, into trust as part of the reservation of the Cocopah Tribe of Arizona, and for other purposes; to the Committee on Natural Resources.

By Mr. GRIJALVA:

H.R. 1992. A bill to amend the Internal Revenue Code of 1986 to allow Indian tribes to transfer the credit for electricity produced from renewable resources; to the Committee on Ways and Means.

By Mr. HERGER (for himself, Ms. BERKLEY, and Mr. MCKINLEY):

H.R. 1993. A bill to amend the Internal Revenue Code of 1986 to modify timing rules for determining gross income with respect to certain construction contracts; to the Committee on Ways and Means.

By Mr. HOLT (for himself, Mr. WU, and Mr. TONKO):

H.R. 1994. A bill to improve foreign language instruction; to the Committee on Education and the Workforce.

By Mr. LOEBSACK (for himself, Mr. BOSWELL, Mr. WAXMAN, Mr. BRALEY of Iowa, and Mr. COURTNEY):

H.R. 1995. A bill to establish an Office of Specialized Instructional Support in the Department of Education and to provide grants to State educational agencies to reduce barriers to learning; to the Committee on Education and the Workforce.

By Mrs. LUMMIS (for herself, Mr. BISHOP of Utah, Mr. THOMPSON of Pennsylvania, Mr. SIMPSON, Mr. CHAFFETZ, Mr. YOUNG of Alaska, Mr. TIPTON, Mr. DENHAM, Mr. CONAWAY, Mr. REHBERG, Mr. COFFMAN of Colorado, Mr. FRANKS of Arizona, Mr. NUNES, Mrs. NOEM, Mr. LAMBORN, Mr. DUNCAN of Tennessee, Mr. PEARCE, Mr. HERGER, and Mr. FLAKE):

H.R. 1996. A bill to amend titles 5 and 28, United States Code, with respect to the award of fees and other expenses in cases brought against agencies of the United States, to require the Administrative Conference of the United States to compile, and make publically available, certain data relating to the Equal Access to Justice Act, and for other purposes; to the Committee on the Judiciary.

By Mr. MILLER of Florida (for himself, Mr. ROSS of Arkansas, Mr. LATTI, and Mr. SHULER):

H.R. 1997. A bill to amend the Land and Water Conservation Fund Act of 1965 to ensure that amounts are made available for