

fight. This is going to affect power plants around the country that are operating under natural gas, coal, oil, any kind of hydrocarbon. This is just the tip of the iceberg of what is going to happen in this arbitrary decision by the EPA against the will of the Congress and the American people.

We have had 2 years of doing things against the desired will of the American people, and the American people spoke in the last election. It is time for us to make commonsense decisions and do what makes sense. It makes no sense to let people operate under a system that works for 15 years and then come in and say implement this immediately. We are not giving you 3 years to implement it. You will do it now. And when we said, no, wait a minute, let's play by the rules, they say, Fine. We never did get around to giving you the official letter approving your flex permit system, so here is your official letter. It is denied. Because you are not doing anything about it, we are going to come in and take over your permitting system.

I don't think the average American thinks that is the way anybody ought to operate. It is not the way that I think anybody ought to operate. I would be surprised if it is not the way that a majority of the people in this House think these agencies ought to operate.

You know, we always hear the idiot, crazy things and they come out in the newspaper and you will see some of them. But just to let you know it is not just in this industry where new regulations are going to be going strange; there is a proposed regulation that is going to be affecting Texas for sure and a whole lot of other States in this unions: they want to regulate dust.

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So, if you've got a dusty road, driving up to your ranch house or to your personal house, they want to come in and regulate the dust that kicks up in the summertime, when it's hot, behind your car.

The solution they came up with for this in California—California, the place where they have the drought in the Central Valley, a shortage of water—is to water down your road every day. Take the water you need for the plants and for people, and squirt it on the road to keep dust from going up in the air.

Like Mr. GOHMERT said, we used to laugh and say, someday, the government is going to regulate the air we breathe and the food we eat. Lo and behold, they are. It's going on right now.

So this is just the beginning. As JOE said, this is just the beginning of bringing this to the attention of the American people—this regulation, what they're doing to Texas—and of standing up for our fellow Texans, who are standing up for our State's compliance record and standing up for our State's ability to create an environment where people can have a job and where they

can pay their own way—and good industry jobs. We're standing up for those people. We're making sure that we don't lose those great jobs in Texas because of this regulatory agency.

This is only the beginning of the fight. There is more to come. We're going to fight, not only this regulation, but many, many more. We'll be bringing them up to let the American people see that the regulators can be dictators.

I just want to correct one thing Mr. GOHMERT said. We're no longer having a moratorium on drilling. I was told today by one of my constituents that we're having a permanent moratorium.

They said, Oh, yes. Where the moratorium's lifted, you just have to get a permit.

So far, there haven't been any permits.

Mr. BARTON of Texas. I just want to make one nonscientific comment.

I flew this morning from DFW Airport up to Reagan Airport to attend this session of Congress. The DFW area is home to approximately 3 million people, to a number of power plants, lots of industry, electronics, general aviation, defense. I flew into Washington, which has almost no industry. The air was clear at DFW. When I came into Reagan, I looked out the window, and I thought, man. I mean, I don't want to be disrespectful to our international friends over in Poland, but it did remind me of the last time, which was several years ago, I flew into Warsaw, and the air was so thick you could see it. I don't know what the issue is here in the Washington region today, but when we flew into Reagan, it was noticeably hazier and browner flying in than it was when I left DFW, where the air was absolutely crystal clear.

Now, that's nonscientific, but I would invite anybody who thinks we've got an air quality problem in Texas to go to Dallas or to go to Houston. Drive out along the Houston ship channel. Go down to Corpus Christi, outside the major refineries on the gulf coast, and you'll see a success story. What you won't see is air pollution that's caused by industry in Texas. Their compliance record is excellent, and they've got the facts to back it up.

Mr. CARTER. I thank you.

At this time, I yield back what little time I have, and remind everybody that the stars are still big and bright deep in the heart of Texas.

#### LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mrs. EMERSON (at the request of Mr. CANTOR) for today and the balance of the week on account of medical reasons.

#### SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Ms. WOOLSEY) to revise and extend their remarks and include extraneous material:)

Mr. McDERMOTT, for 5 minutes, today.

Mr. DEFAZIO, for 5 minutes, today.

Ms. WOOLSEY, for 5 minutes, today.

Mr. LIPINSKI, for 5 minutes, today.

Ms. KAPTUR, for 5 minutes, today.

(The following Members (at the request of Mr. BURTON of Indiana) to revise and extend their remarks and include extraneous material:)

Mr. PAUL, for 5 minutes, today and January 26.

Mr. BURTON of Indiana, for 5 minutes, today and January 26.

Mr. TURNER, for 5 minutes, January 26.

#### ADJOURNMENT

Mr. CARTER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 9 o'clock and 44 minutes p.m.), under its previous order, the House adjourned until tomorrow, Tuesday, January 25, 2011, at 10 a.m. for morning-hour debate.

#### EXECUTIVE COMMUNICATIONS, ETC.

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

172. A letter from the Congressional Review Coordinator, Department of Agriculture, transmitting the Department's final rule — Emerald Ash Borer; Quarantined Areas; Maryland, Michigan, Minnesota, Missouri, Pennsylvania, Virginia, West Virginia, and Wisconsin [Docket No.: APHIS-2008-0072] received January 11, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

173. A letter from the Congressional Review Coordinator, Department of Agriculture, transmitting the Department's final rule — Pine Shoot Beetle; Additions to Quarantined Areas [Docket No.: APHIS-2008-0111] received January 11, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

174. A letter from the Congressional Review Coordinator, Department of Agriculture, transmitting the Department's final rule — Asian Longhorned Beetle; Additions to Quarantined Areas in Massachusetts and New York [Docket No.: APHIS-2009-0014] received January 11, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

175. A letter from the Chairman, Congressional Oversight Panel, transmitting the Panel's monthly report pursuant to Section 125(b)(1) of the Emergency Economic Stabilization Act of 2008, Pub. L. 110-343; to the Committee on Financial Services.

176. A letter from the Secretary, Department of Education, transmitting the Department's final rule — Supplemental Priorities For Discretionary Grant Programs [Docket ID.: ED-OS-2010-0011] (RIN: 1894-AA00) received January 3, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

177. A letter from the Secretary, Department of Commerce, transmitting the annual report for FY 2010 of the Department's Bureau of Industry and Security (BIS); to the Committee on Foreign Affairs.

178. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting notification that effective January 2, 2011, the danger pay allowance for Nogales, Mexico has been established; to the Committee on Foreign Affairs.

179. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

180. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

181. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

182. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

183. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

184. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

185. A letter from the Chief Financial Officer, Federal Mediation and Conciliation Service, transmitting the FY 2010 annual report under the Federal Managers' Financial Integrity Act (FMFIA) of 1982, pursuant to 31 U.S.C. 3512(c)(3); to the Committee on Oversight and Government Reform.

186. A letter from the Assistant Secretary for Fish & Wildlife & Parks, Department of the Interior, transmitting the Department's final rule — 2010-2011 Refuge-Specific Hunting and Sport Fishing Regulations [Docket No.: FWS-R9-NSR-2010-0036] (RIN: 1018-AX20) received January 11, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

187. A letter from the Secretary, Department of the Interior, transmitting an order that would cancel construction debt assessed against Indian-owned Lands, pursuant to 25 U.S.C. 386a; to the Committee on Natural Resources.

188. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Northeastern United States; Summer Flounder, Scup, and Black Sea Bass Fisheries; 2011 Summer Flounder, Scup, and Black Sea Bass Specifications; Preliminary 2011 Quota Adjustments; 2011 Summer Flounder Quota for Delaware [Docket No.: 101029427-0609-02] (RIN: 0648-XY82) received January 12, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

189. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Magnuson-Stevens Fishery Conservation and Management Act Provisions; Fisheries of the Northeastern United States; Tilefish Fishery [Docket No.: 101116568-0608-01] (RIN: 0648-BA42) received January 12, 2011, pursuant to 5 U.S.C.

801(a)(1)(A); to the Committee on Natural Resources.

190. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Steller Sea Lion Protection Measures for the Bering Sea and Aleutian Islands Groundfish Fisheries Off Alaska; Correction [Docket No.: 101006495-0498-01] (RIN: 0648-BA31) received January 11, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

191. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Civil Penalties [Docket No.: NHTSA-2010-0114; Notice 2] (RIN: 2127-AK78) received January 13, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

192. A letter from the Director, Office of Regulations, Social Security Administration, transmitting the Administration's final rule — Amendments to Regulations Regarding Eligibility for a Medicare Prescription Drug Subsidy [Docket No.: SSA-2010-0033] (RIN: 0960-AH24) received January 11, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); 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 action occurred on January 3, 2011)*

Mr. BERMAN: Committee on Foreign Affairs. Legislative Review Activities of the Committee on Foreign Affairs for the 111th Congress (Rept. 111-713). 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. GINGREY of Georgia (for himself, Mr. DAVID SCOTT of Georgia, and Mr. SMITH of Texas):

H.R. 5. A bill to improve patient access to health care services and provide improved medical care by reducing the excessive burden the liability system places on the health care delivery system; to the Committee on the Judiciary, and in addition to the Committee on 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. SMITH of Texas (for himself, Mr. CONYERS, Mr. COBLE, and Mr. JOHNSON of Georgia):

H.R. 394. A bill to amend title 28, United States Code, to clarify the jurisdiction of the Federal courts, and for other purposes; to the Committee on the Judiciary.

By Mr. MCNERNEY:

H.R. 395. A bill to amend the Federal Water Pollution Control Act to extend the pilot program for alternative water source projects; to the Committee on Transportation and Infrastructure.

By Mr. SESSIONS (for himself, Mr. PLATTS, and Mr. PASCRELL):

H.R. 396. A bill to direct the Secretary of Defense and the Secretary of Veterans Af-

fairs to carry out a pilot program under which the Secretaries make payments for certain treatments of traumatic brain injury and post-traumatic stress disorder; 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. HERGER (for himself, Mr. SAM JOHNSON of Texas, Mr. TIBERI, Mr. REICHERT, Mr. GERLACH, Mr. BACHUS, Mrs. BLACKBURN, Mr. DENT, Mr. HARPER, Mr. MCCAUL, Mrs. MCMORRIS RODGERS, Mr. GARY G. MILLER of California, and Mr. SESSIONS):

H.R. 397. A bill to repeal the Patient Protection and Affordable Care Act and the Health Care and Education Reconciliation Act of 2010 and to take meaningful steps to lower health care costs and increase access to health insurance coverage without raising taxes, cutting Medicare benefits for seniors, adding to the national deficit, intervening in the doctor-patient relationship, or instituting a government takeover of health care; to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means, Education and the Workforce, the Judiciary, House Administration, Natural Resources, Appropriations, and Rules, 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 Ms. ZOE LOFGREN of California (for herself, Mr. GALLEGLY, Mr. CONYERS, and Mr. SMITH of Texas):

H.R. 398. A bill to amend the Immigration and Nationality Act to toll, during active-duty service abroad in the Armed Forces, the periods of time to file a petition and appear for an interview to remove the conditional basis for permanent resident status, and for other purposes; to the Committee on the Judiciary, 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. FLAKE:

H.R. 399. A bill to amend the Immigration and Nationality Act to authorize certain aliens who have earned a Ph.D. degree from a United States institution of higher education in a field of science, technology, engineering, or mathematics to be admitted for permanent residence and to be exempted from the numerical limitations on H-1B non-immigrants; to the Committee on the Judiciary.

By Mr. BACA (for himself and Mr. WOLF):

H.R. 400. A bill to require certain warning labels to be placed on video games that are given certain ratings due to violent content; to the Committee on Energy and Commerce.

By Mr. CARSON of Indiana:

H.R. 401. A bill to authorize the President to award a gold medal on behalf of Congress to Muhammad Ali in recognition of his contributions to the Nation; to the Committee on Financial Services.

By Ms. DELAUNO (for herself, Mr. ELLISON, Mr. ISRAEL, Mr. WEINER, Mr. TIERNEY, Mr. VAN HOLLEN, Ms. HIRONO, Ms. BORDALLO, Ms. LEE of California, Mr. LARSON of Connecticut, Mr. COURTNEY, Ms. BERKLEY, Mr. HIMES, Mr. BOSWELL, Mr. CONYERS, Mr. MURPHY of Connecticut, Mr. YARMUTH, Mr. LUJÁN, Ms. SUTTON, Mr. BRALEY of Iowa, Mr. LYNCH, Ms. RICHARDSON, Mr. GONZALEZ, and Mr. BLUMENAUER):