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

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No. 121

## House of Representatives

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. HARRIS).

### DESIGNATION OF THE SPEAKER PRO TEMPORE

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

WASHINGTON, DC,  
August 5, 2011.

I hereby appoint the Honorable ANDY HARRIS to act as Speaker pro tempore on this day.

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

### PRAYER

The Deputy Parliamentarian, Thomas J. Wickham, offered the following prayer:

Almighty God, who has given us this good land for our heritage, we humbly beseech Thee that we may always prove ourselves a people mindful of Thy favor and glad to do Thy will. Bless our land with honorable industry, sound learning, and pure manners. 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.

### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to section 4 of House Resolution 375, legislative business is not dispensed with on this day.

### 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, August 2, 2011.

Hon. JOHN A. BOEHNER,  
*The Speaker, The Capitol,*  
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, I have the honor to transmit a sealed envelope received from the White House on August 2, 2011, at 2:13 p.m., and said to contain a message from the President whereby he submits to the Congress a certification he has made pursuant to section 3101A(a)(1)(A) of title 31, United States Code.

With best wishes, I am,  
Sincerely,

KAREN L. HAAS,  
*Clerk of the House.*

### CERTIFICATION REGARDING DEBT SUBJECT TO LIMIT—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 112-48)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Ways and Means and ordered to be printed:

*To the Congress of the United States:*

Pursuant to section 3101A(a)(1)(A) of title 31, United States Code, I hereby certify that the debt subject to limit is

within \$100,000,000,000 of the limit in 31 U.S.C. 3101(b) and that further borrowing is required to meet existing commitments.

BARACK OBAMA,  
THE WHITE HOUSE, August 2, 2011.

### RESIGNATION FROM THE HOUSE OF REPRESENTATIVES

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

HOUSE OF REPRESENTATIVES,  
Washington, DC, August 3, 2011.

DEAR SPEAKER BOEHNER: Thank you for your courtesies to me as Speaker and your fairness as Chairman of the Education Committee.

By this letter, I give notice of my resignation from the United States House of Representatives, effective immediately.

I have included a copy of my letter to the Governor of Oregon.

I shall miss this honorable work and this institution. God bless the United States of America and God bless the House of Representatives.

DAVID WU,  
*Member of Congress.*

HOUSE OF REPRESENTATIVES,  
Washington, DC, August 3, 2011.

DEAR GOVERNOR KITZHABER: Serving as a United States Congressman has been the greatest honor of my life. There is no other job where you get up every day and ask, "How can I try to make the world a better place today?"

Of particular significance to me in this effort to improve the world is investing in more and better science and education. Also, I believe my support of people around the world who are struggling for human rights and civil liberties will ultimately bear fruit in a world which is more just and peaceful.

DAVID WU,  
*Member of Congress.*

### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Under clause 5(d) of rule XX, the Chair announces to the House that, in light of

□ 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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the resignation of the gentleman from Oregon (Mr. WU), the whole number of the House is 432.

#### 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, August 2, 2011.

Hon. JOHN A. BOEHNER,  
The Speaker, U.S. Capitol,  
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 August 2, 2011 at 1:00 p.m.:

That the Senate concur in the House amendment to the bill S. 365.

That the Senate agreed to without amendment H. Con. Res. 70.

With best wishes, I am,  
Sincerely,

KAREN L. HAAS.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 4 of rule I, the following enrolled bill was signed by the Speaker on Tuesday, August 2, 2011:

S. 365, to provide for budget control.

#### 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, August 3, 2011.

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

DEAR MR. SPEAKER: Pursuant to section 4(c) of House Resolution 5, One Hundred Twelfth Congress, and section 1(k)(2) of House Resolution 895, One Hundred Tenth Congress, I transmit to you notification that Jay Eagen, Allison Hayward, and Kelly Brewington each have signed an agreement not to be a candidate for the office of Senator or Representative in, or Delegate or Resident Commissioner to, the Congress for purposes of the Federal Election Campaign Act of 1971 until at least 3 years after he or she is no longer a member of the board or staff of the Office of Congressional Ethics.

Copies of the signed agreements shall be retained by the Office of the Clerk as part of the records of the House.

With best wishes, I am,  
Sincerely,

KAREN L. HAAS,  
Clerk of the House.

#### 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, August 3, 2011.

Hon. JOHN A. BOEHNER,  
The Speaker, U.S. Capitol,  
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 August 3, 2011 at 10:54 a.m.:

That the Senate passed S. 1302.

That the Senate passed S. 710.

With best wishes, I am,  
Sincerely,

KAREN L. HAAS.

#### COMMUNICATION FROM EXECUTIVE ASSISTANT, THE HONORABLE HAROLD ROGERS, MEMBER OF CONGRESS

The SPEAKER pro tempore laid before the House the following communication from LaNette Wright, Executive Assistant, the Honorable HAROLD ROGERS, Member of Congress:

HOUSE OF REPRESENTATIVES,  
Washington, DC, July 25, 2011.

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 non-party subpoena, issued by the Circuit Court for Russell County, Kentucky, for documents and testimony in a criminal case.

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,

LANETTE WRIGHT,  
Executive Assistant.

#### SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 1302. An act to authorize the Administrator of General Services to convey a parcel of real property in Tracy, California, to the City of Tracy; to the Committee on Oversight and Government Reform; in addition, to the Committee on Transportation and Infrastructure; 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.

#### SENATE ENROLLED BILL SIGNED

The Speaker announced his signature on Tuesday, August 2, 2011, to an enrolled bill of the Senate of the following title:

S. 365. An act to provide for budget control.

#### ADJOURNMENT

The SPEAKER pro tempore. Pursuant to sections 3 and 4 of House Resolution 375, the House stands adjourned until 10 a.m. on Tuesday, August 9, 2011.

Accordingly (at 10 o'clock and 9 minutes a.m.), the House adjourned until Tuesday, August 9, 2011, at 10 a.m.

#### EXECUTIVE COMMUNICATIONS, ETC.

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

2704. A letter from the Assistant to the Board, Board of Governors of the Federal Reserve System, transmitting the Board's "Major" final rule — Debit Card Interchange Fees and Routing [Regulation II; Docket No.: R-1404] (RIN No.: 7100-AD 63) received July 29, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

2705. A letter from the Assistant to the Board, Board of Governors of the Federal Reserve System, transmitting the Board's "Major" final rule — Debit Card Interchange Fees and Routing [Regulation II; Docket No.: R-1404] (RIN No.: 7100 AD 63) received July 29, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

2706. A letter from the Director, Regulations Policy and Management Staff, Department of Homeland Security, transmitting the Department's final rule — Tobacco Productions, Exemption From Substantial Equivalence Requirements [Docket No.: FDA-2010-N-0646] (RIN: 0910-AG39) received July 21, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2707. A letter from the Deputy Chief, CGB, Federal Communications Commission, transmitting the Commission's final rule — Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities Structure and Practices of the Video Relay Service Program [CG Docket No.: 03-123] [CG Docket No.: 10-51] received July 18, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2708. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-98, "Fiscal year 2012 Budget Support Act of 2011"; to the Committee on Oversight and Government Reform.

2709. A letter from the Senior Counsel for Regulatory Affairs, Department of the Treasury, transmitting the Department's final rule — Department of the Treasury Acquisition Regulation (RIN: 1505-AC04) received July 25, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

2710. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Shore Thing and Independence Day Fireworks Chesapeake Bay, Norfolk, VA [Docket No.: USCG-2011-0303] (RIN: 1625-AA00) received July 22, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2711. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Cape Charles Fireworks, Cape Charles Harbor, Cape Charles, VA [Docket No.: USCG-2011-0304] (RIN: 1625-AA00) received July 22, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2712. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Fourth of July Fireworks Event, Pagan River, Smithfield, VA [Docket No.: USCG-2011-0588] (RIN: 1625-AA00) received July 22, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2713. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety