



United States  
of America

# Congressional Record

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

Vol. 158

WASHINGTON, FRIDAY, NOVEMBER 2, 2012

No. 141

## House of Representatives

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

### DESIGNATION OF THE SPEAKER PRO TEMPORE

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

WASHINGTON, DC,

November 2, 2012.

I hereby appoint the Honorable FRANK R. WOLF to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,

*Speaker of the House of Representatives.*

### PRAYER

The Reverend Stephen Willis, First Baptist Church, Kenova, West Virginia, offered the following prayer:

To the One who governs seas and quells the storms, we thank You for authoring each life and granting hope in times of calamity. We come to You on the eve of this election, seeking wisdom from Isaiah 1. For failing to take up the cause of the fatherless, we ask for mercy. For insufficiently defending the case of the widow, we humbly repent.

Teach us to fear You and keep Your commandments. May we learn to do good, seek justice, and rebuke those who would oppress Your children.

Restore our rulers as at the first, and our judges as at the beginning, that we might be called a nation of righteousness, a faithful people. May we be redeemed by justice and those who repent by righteousness.

Let the wretched, poor, pitiful, naked and blind experience the transformation of Your grace so that Your name, O Lord, might be exalted among the nations. Amen.

### THE JOURNAL

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

788, 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.

### OMISSION FROM THE CONGRESSIONAL RECORD OF TUESDAY, OCTOBER 30, 2012 AT PAGE H6319

### MOMENT OF SILENCE IN REMEMBRANCE OF VICTIMS OF HURRICANE SANDY

The SPEAKER pro tempore. The Chair would ask all present to rise and observe a moment of silence in remembrance of those who have perished in Hurricane Sandy and to remember those as well who continue to suffer.

### SENATE ENROLLED BILL SIGNED

The Speaker pro tempore (Mr. HARRIS) announced his signature to an enrolled bill of the Senate of the following title:

S. 3624. An act to amend section 31311 of title 49, United States Code, to permit States to issue commercial driver's licenses to members of the Armed Forces whose duty station is located in the State.

### ADJOURNMENT

The SPEAKER pro tempore. Pursuant to section 3(b) of House Resolution 788, the House stands adjourned until 10 a.m. on Friday, November 2, 2012.

Accordingly (at 4 o'clock and 4 minutes p.m.), the House adjourned until Friday, November 2, 2012, at 10 a.m.

### ADJOURNMENT

The SPEAKER pro tempore. Pursuant to section 3(b) of House Resolution 788, the House stands adjourned until 10 a.m. on Tuesday, November 6, 2012.

Accordingly (at 10 o'clock and 2 minutes a.m.), the House adjourned until Tuesday, November 6, 2012, 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:

8172. A communication from the President of the United States, transmitting notification that the national emergency declared with respect to Sudan is to continue in effect beyond November 3, 2012, pursuant to 50 U.S.C. 1622(d); (H. Doc. No. 112—150); to the Committee on Foreign Affairs and ordered to be printed.

8173. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 12-131, pursuant to the reporting requirements of Section 36(c) and 36(d) of the Arms Export Control Act; to the Committee on Foreign Affairs.

8174. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 12-125, pursuant to the reporting requirements of Section 36(d) of the Arms Export Control Act; to the Committee on Foreign Affairs.

8175. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 12-117, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

8176. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 12-116, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

8177. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 12-112, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

8178. A letter from the Assistant Secretary, Legislative Affairs, Department of State,

□ 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.



Printed on recycled paper.

H6321

transmitting Transmittal No. DDTC 12-059, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

8179. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 12-067, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

8180. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 12-098, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

8181. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 12-118, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

8182. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 12-123, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

8183. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 12-123, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

8184. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 12-136, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

8185. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 12-096, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

8186. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 12-102, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

8187. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 12-134, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

8188. A letter from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting report prepared by the Department of State concerning international agreements other than treaties entered into by the United States to be transmitted to the Congress within the sixty-day period specified in the Case-Zablocki Act; to the Committee on Foreign Affairs.

8189. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 12-132, pursuant to the reporting requirements of Section 36(d) of the Arms Export Control Act; to the Committee on Foreign Affairs.

8190. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting notice that the Deputy Secretary has issued the required determination to waive certain restrictions on the maintenance of a Palestine Liberation Organization (PLO) Office; to the Committee on Foreign Affairs.

8191. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a report pursuant to Section 301 of the Omnibus Diplomatic Security and Antiterrorism Act of 1986; to the Committee on Foreign Affairs.

8192. A communication from the President of the United States, transmitting notifica-

tion that the continuation of the national emergency with respect to the proliferation of weapons of mass destruction that was declared in Executive Order 12938, as amended, is to continue in effect for 1 year beyond November 14, 2012; (H. Doc. No. 112—151); to the Committee on Foreign Affairs and ordered to be printed.

8193. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-474, "District of Columbia Public Schools Partnership Temporary Act of 2012"; to the Committee on Oversight and Government Reform.

8194. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-473, "District of Columbia School Reform Extension of Time Temporary Amendment Act of 2012"; to the Committee on Oversight and Government Reform.

8195. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-472, "Cogeneration Equipment Personal Property Tax Exemption Temporary Act of 2012"; to the Committee on Oversight and Government Reform.

8196. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-471, "Health Benefits Plan Grievance Temporary Amendment Act of 2012"; to the Committee on Oversight and Government Reform.

8197. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-470, "Career and Technical Education Plan Establishment Temporary Act of 2012"; to the Committee on Oversight and Government Reform.

8198. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-469, "District Department of Transportation Bicycle Sharing Fund Temporary Amendment Act of 2012"; to the Committee on Oversight and Government Reform.

8199. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-468, "Department of Health Functions Clarification Temporary Amendment Act of 2012"; to the Committee on Oversight and Government Reform.

8200. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-467, "Meridian Public Charter School-Harrison Campus Property Tax Exemption Act of 2012"; to the Committee on Oversight and Government Reform.

8201. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-480, "Retention Incentives for Chief of Police Cathy L. Lanier Amendment Act of 2012"; to the Committee on Oversight and Government Reform.

8202. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-479, "Compassionate Release Authorization Amendment Act of 2012"; to the Committee on Oversight and Government Reform.

8203. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-478, "Verizon Center Graphics and Entertainment Amendment Act of 2012"; to the Committee on Oversight and Government Reform.

8204. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Head of the Cuyahoga, U.S. Rowing Masters Head Race National Championship, and Dragon Boat Festival, Cuyahoga River, Cleveland, OH [Docket Number: USCG-2012-0569] (RIN: 1625-AA00) received October 1, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the

Committee on Transportation and Infrastructure.

8205. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Chicago Red Bull Flugtag, Lake Michigan, Chicago, IL [Docket Number: USCG-2012-0817] (RIN: 1625-AA00) received October 1, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8206. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Miami Paddle Challenge, Biscayne Bay, Miami, FL [Docket Number: USCG-2012-0722] (RIN: 1625-AA08) received October 1, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8207. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; America's Cup World Series Regattas, San Francisco Bay; San Francisco, CA [Docket Number: USCG-2012-0736] (RIN: 1625-AA00) received October 1, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8208. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Seafood Festival Fireworks Display, Marquette, Michigan [Docket Number: USCG-2012-0765] (RIN: 1625-AA00) received October 1, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8209. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Drawbridge Operation Regulation; Grosse Tete Bayou, Iberville Parish, LA [Docket Number: USCG-2012-0115] (RIN: 1625-AA09) received October 1, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8210. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Drawbridge Operation Regulation; Black Warrior River, AL [Docket Number: USCG-2012-0764] (RIN: 1625-AA09) received October 1, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8211. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Drawbridge Operation Regulation; Alabama River, AL [Docket Number: USCG-2012-0181] (RIN: 1625-AA09) received October 1, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8212. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Drawbridge Operation Regulation; Carlin Bayou, LA [Docket Number: USCG-2012-0180] (RIN: 1625-AA09) received October 1, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8213. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Drawbridge Operation Regulation; Tombigbee River, AL [Docket Number: USCG-2012-0179] (RIN: 1625-AA09) received October 1, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8214. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Water Main Crossing; Choctawhatchee Bay; Santa Rosa Beach, FL [Docket Number: USCG-2012-0518] (RIN: 1625-AA00) received October 1, 2012, pursuant to 5 U.S.C.

801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8215. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; ESI Ironman 70.3 Augusta Triathlon, Savannah river; Augusta, GA [Docket Number: USCG-2012-0574] (RIN: 1625-AA00) received October 1, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8216. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; TriRock San Diego, San Diego Bay, San Diego, CA [Docket Number: USCG-2012-0800] (RIN: 1625-AA00) received October 1, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8217. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Liberty to Freedom Swims, Liberty Island, Upper Bay and Hudson River, NY [Docket Number: USCG-2012-0717] (RIN: 1625-AA00) received October 1, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8218. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Cleveland National Air show, Cleveland, OH [Docket Number: USCG-2012-0814] (RIN: 1625-AA00) received October 1, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

#### 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. FATTAH:

H.R. 6581. A bill making supplemental appropriations for fiscal year 2013 for recovery from damage caused by Hurricane Sandy, and for other purposes; to the Committee on

Appropriations, 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. ADERHOLT (for himself, Mr. CARNAHAN, Mrs. BLACKBURN, Mr. COOPER, Mr. ROE of Tennessee, Mr. WESTMORELAND, Mr. WHITFIELD, and Mr. SHIMKUS):

H.R. 6582. A bill to allow for innovations and alternative technologies that meet or exceed desired energy efficiency goals, and to make technical corrections to existing Federal energy efficiency laws to allow American manufacturers to remain competitive; to the Committee on Energy and Commerce.

By Mr. DENT:

H.R. 6583. A bill to require the Secretary of the Treasury to implement a program to prevent the fraudulent use of taxpayer identification numbers of residents of United States territories and possessions to be used to obtain a credit or refund on tax returns filed with the United States; to the Committee on Ways and Means.

By Mr. MARKEY (for himself, Mr. COHEN, Ms. SLAUGHTER, Mr. LYNCH, and Mr. OLVER):

H.R. 6584. A bill to amend the Federal Food, Drug, and Cosmetic Act to provide for the compounding of drug products; to the Committee on Energy and Commerce.

#### CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. FATTAH:

H.R. 6581.

Congress has the power to enact this legislation pursuant to the following:

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 shall be uniform throughout the United States.

By Mr. ADERHOLT:

H.R. 6582.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3—The Commerce Clause and

Article I, Section 8, Clause 18—Necessary and Proper Clause.

By Mr. DENT:

H.R. 6583.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the U.S. Constitution

By Mr. MARKEY:

H.R. 6584.

Congress has the power to enact this legislation pursuant to the following:

Article I, §8, clause 3

#### ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 12: Ms. SLAUGHTER.

H.R. 1029: Mr. COFFMAN of Colorado.

H.R. 1462: Ms. SLAUGHTER.

H.R. 2595: Mr. FATTAH.

H.R. 3643: Mr. LANGEVIN.

H.R. 3661: Mr. REED.

H.R. 3859: Mr. WELCH.

H.R. 4120: Mr. CUMMINGS and Mrs. NAPOLITANO.

H.R. 5914: Mr. MILLER of Florida.

H.R. 6200: Ms. HIRONO.

H.R. 6293: Ms. HANABUSA.

H.R. 6372: Mr. GRIFFIN of Arkansas.

H.R. 6400: Mr. CONYERS.

H.R. 6426: Mr. FILNER.

H.R. 6527: Ms. CHU.