



United States  
of America

# Congressional Record

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

Vol. 158

WASHINGTON, THURSDAY, DECEMBER 27, 2012

No. 168

## House of Representatives

The House met at 2 p.m. and was called to order by the Speaker pro tempore (Mr. LATOURETTE).

### DESIGNATION OF THE SPEAKER PRO TEMPORE

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

WASHINGTON, DC,  
December 27, 2012.

I hereby appoint the Honorable STEVEN C. LATOURETTE to act as Speaker pro tempore on this day.

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

### PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer: God of all creation, we give You thanks for giving us another day.

As this Chamber lies silent still, we pray for hope as many Americans experience anxiety about their future.

Send a spirit of wisdom and good judgment upon the leaders of Congress that they might forge a solution to assuage the concerns of their fellow citizens.

Send us Your spirit so that there might be peace on Earth and good will among all men and women.

May all that is done this day be for Your greater honor and glory.  
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. Will the gentleman from Ohio (Mr. KUCINICH)

come forward and lead the House in the Pledge of Allegiance.

Mr. KUCINICH 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.

### UNFINISHED BUSINESS

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

Mr. HOYER. Mr. Speaker, we are in pro forma session. Pro forma session is a session without substance or solutions.

We have much to do, Mr. Speaker. Millions of Americans returned to work yesterday. Millions more have returned to work today after taking off time for their holidays.

Mr. Speaker, we have, as you well know, a long list of expiring items this House must complete before the end of the year or it will have adverse consequences to our people.

First I want to say, Mr. Speaker, that you are one who has been working very hard to assure that we reached solutions, and I want to thank you for that. Some of us are here in this Chamber today, but, very frankly, all of us ought to be here in this Chamber today, all the Republicans and all the Democrats, working so that our people have confidence that although our challenges are tough, that we are at least here trying to reach a consensus on solutions to those challenges.

Mr. Speaker, as you well know, on January 1, middle class taxes will rise. Indeed, taxes on all Americans will rise. Mr. Speaker, you are also aware that we have legislation that has passed the Senate overwhelmingly on a bipartisan, 68-31, vote to address the issue of violence against women. Postal reform legislation passed the Senate in a bipartisan fashion. We have a farm

bill, Mr. Speaker, that has passed through the Senate in a bipartisan fashion and passed out of the committee in this House in a bipartisan fashion. We are facing sequestration on January 2 that every Member of this House believes is an irrational alternative. We have many of our fellow citizens battered by Sandy, one of the largest storms to hit the Northeast ever. The Senate is now considering a foreign intelligence surveillance act, a piece of legislation to keep our country safe and secure. We have doctors who are worrying about whether they're going to be reimbursed for their medical expenses that they deliver to senior citizens. We have an alternative minimum tax that will expire on December 31, resulting in a tax increase to many of our citizens. We have tax extenders that have not been extended. We have a jobs bill that the President has asked for that has not been considered, much less passed.

Mr. Speaker, we ought to be here, working, addressing these challenges. Everywhere, Mr. Speaker, that you and I go, I know that we hear, "What are you doing on the fiscal cliff?" Or "I hope you're working hard on the fiscal cliff."

Mr. Speaker, lamentably, I must tell them, we're not working. We're not here. We're not addressing the challenges that I have just mentioned.

Mr. Speaker, I would hope that the Speaker of the House would call us back immediately to address these challenges. We have 4 days left to go before the end of this year, before all of those items that I spoke about expire. The sequester happens the 2nd day of January.

We ought to be here working, Mr. Speaker. We're not. This is a pro forma session. As I said at the beginning, a pro forma session is a session without substance and without solutions.

I would urge the Speaker of this House to call us back in session to do

□ 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.

H7433

what America expects us to do: address the challenges, find solutions, come to agreement, make compromises, make democracy in America work and give confidence to our people and to our economy.

I hope, Mr. Speaker, that the Speaker will do that and will do it today.

#### 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, December 27, 2012.

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

DEAR MR. SPEAKER: Pursuant to the permission granted in clause 2(h) of rule I of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on December 27, 2012, at 11:19 a.m.:

That the Senate passed without amendment H.R. 1339.

That the Senate passed with an amendment H.R. 4212.

That the Senate passed without amendment H.R. 5859.

That the Senate passed with an amendment H.R. 6364.

That the Senate passed S. 3709.

That the Senate passed without amendment H.R. 1845.

With best wishes, I am  
Sincerely,

KAREN L. HAAS.

#### 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. 3709. An act to require a Government Accountability Office examination of transactions between large financial institutions and the Federal Government, and for other purposes; to the Committee on Financial Services.

#### BILLS AND JOINT RESOLUTION PRESENTED TO THE PRESIDENT

Karen L. Haas, Clerk of the House, reported that on December 21, 2012, she presented to the President of the United States, for his approval, the following bills and joint resolution:

H.J. Res. 122. Establishing the date for the counting of the electoral votes for President and Vice President cast by the electors in December 2012.

H.R. 5837. To designate the facility of the United States Postal Service located at 26 East Genesee Street in Baldwinsville, New York, as the "Corporal Kyle Schneider Post Office Building".

H.R. 5954. To designate the facility of the United States Postal Service located at 320 7th Street in Ellwood City, Pennsylvania, as the "Sergeant Leslie H. Sabo, Jr. Post Office Building".

H.R. 5738. To designate the facility of the United States Postal Service located at 15285 Samohin Drive in Macomb, Michigan, as the "Lance Cpl. Anthony A. DiLisio Clinton-Macomb Carrier Annex".

H.R. 3912. To designate the facility of the United States Postal Service located at 110 Mastic Road in Mastic Beach, New York, as the "Brigadier General Nathaniel Woodhull Post Office Building".

H.R. 3870. To designate the facility of the United States Postal Service located at 6083 Highway 36 West in Rose Bud, Arkansas, as the "Nicky 'Nick' Daniel Bacon Post Office".

H.R. 3477. To designate the facility of the United States Postal Service located at 133 Hare Road in Crosby, Texas, as the Army First Sergeant David McNerney Post Office Building.

#### ADJOURNMENT TO MONDAY, DECEMBER 31, 2012

The SPEAKER pro tempore. Without objection, when the House adjourns today, it shall adjourn to meet at 2 p.m. on Monday, December 31, 2012.

There was no objection.

#### ADJOURNMENT

The SPEAKER pro tempore. Without objection, the House stands adjourned until 2 p.m. on Monday, December 31, 2012.

There was no objection.

Thereupon (at 2 o'clock and 9 minutes p.m.), under its previous order, the House adjourned until Monday, December 31, 2012, at 2 p.m.

#### EXECUTIVE COMMUNICATIONS, ETC.

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

8919. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Chlorantraniliprole; Pesticide Tolerances, Technical Correction [EPA-HQ-OPP-2012-0029; FRL-9367-6] received December 18, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

8920. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Difentozquat; Data Call-in Order for Pesticide Tolerances [EPA-HQ-OPP-2012-0441; FRL-9372-9] received December 18, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

8921. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Propiconazole; Pesticide Tolerances [EPA-HQ-OPP-2011-0772; FRL-9369-5] received December 18, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

8922. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Quinclorac; Pesticide Tolerances [EPA-HQ-OPP-2012-0010; FRL-9372-4] received December 18, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

8923. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Spirotetramat; Pesticide Tolerance for Emergency Exemption [EPA-HQ-OPP-2012-0900; FRL-9373-2] received December 18, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

8924. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; State of Colorado; Motor Vehicle Inspection and Maintenance Program — Deletion of Final Enhanced Inspection and Maintenance Emission Cutpoint Standards [EPA-R08-OAR-2011-1004; FRL-9676-3] received December 18, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

8925. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Permits for Major Stationary Sources and Major Modifications Locating in Prevention of Significant Deterioration Areas and Permits for Major Stationary Sources Locating in Non-attainment Areas or the Ozone Transport Region [EPA-R03-OAR-2011-0926; FRL-9763-4] received December 18, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

8926. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; New York, New Jersey, and Connecticut; Determination of Attainment of the 2006 Fine Particle Standard [Docket No.: EPA-R02-OAR-2012-0504; FRL-9763-6] received December 18, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

8927. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Illinois; Infrastructure SIP Requirements for the 2006 PM2.5 NAAQS; Revisions to FIPs To Reduce Interstate Transport of PM2.5 and Ozone; Correction [EPA-R05-OAR-2009-0805; EPA-HQ-OAR-2009-0491; FRL-9763-3] received December 18, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

8928. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Indiana; Delaware County (Muncie), Indiana Ozone Maintenance Plan Revision to Approved Motor Vehicle Emissions Budgets [EPA-R05-OAR-2012-0537; FRL-9762-9] received December 18, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

8929. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; South Carolina 110(a)(1) and (2) Infrastructure Requirements for the 1997 and 2006 Fine Particulate Matter National Ambient Air Quality Standards; Correction [EPA-R04-OAR-2012-0238; FRL-9762-6] received December 18, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

8930. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — National Emissions Standards for Hazardous Air Pollutants for Chemical Manufacturing Area Sources [EPA-HQ-OAR-2008-0334; FRL-9725-9] (RIN: 2060-AQ89) received December 18, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

8931. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Revisions to the California