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WASHINGTON, MONDAY, APRIL 11, 2011

No. 52

## Senate

The Senate was not in session today. Its next meeting will be held on Tuesday, April 12, 2011, at 10 a.m.

## House of Representatives

MONDAY, APRIL 11, 2011

The House met at 11 p.m. and was called to order by the Speaker pro tempore (Mr. YODER).

### DESIGNATION OF THE SPEAKER PRO TEMPORE

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

WASHINGTON, DC,  
April 11, 2011.

I hereby appoint the Honorable KEVIN YODER to act as Speaker pro tempore on this day.

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

### PRAYER

The Chaplain, the Reverend Daniel P. Coughlin, offered the following prayer:

Lord God, reward with Your blessing and longstanding grace all those who have served and continue to serve in this respected Chamber of the United States House of Representatives.

Together with the Honorable Members and their personal and committee staffs, we beg Your blessing upon the parliamentarians, the clerks, pages, cloakroom and security personnel who work on this floor. They keep this noble institution functioning for the working of government and the good of the Nation.

Lord, these Your committed servants are proven faithful witness to history in the making and silent witness to Your Divine Providence guiding and protecting Your people both now and forever. 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 Michigan (Mr. AMASH) come forward and lead the House in the Pledge of Allegiance.

Mr. AMASH 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.

### REPORT ON H. CON. RES. 34, CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2012

Mr. AMASH, from the Committee on the Budget, submitted a privileged report (Rept. No. 112-58) on the concurrent resolution (H. Con. Res. 34) establishing the budget for the United States Government for fiscal year 2012 and setting forth appropriate budgetary levels for fiscal years 2013 through 2021, which was referred to the Union Calendar and ordered to be printed.

### RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair

declares the House in recess subject to the call of the Chair.

Accordingly (at 11 o'clock and 4 minutes p.m.), the House stood in recess subject to the call of the Chair.

□ 0145

### AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. YODER) at 1 o'clock and 45 minutes a.m.

### ADJOURNMENT

The SPEAKER pro tempore. Without objection, the House stands adjourned until noon today for morning-hour debate.

There was no objection.

Accordingly (at 1 o'clock and 46 minutes a.m.), under its previous order, the House adjourned until today, Tuesday, April 12, 2011, at noon.

### EXECUTIVE COMMUNICATIONS, ETC.

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

1188. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Sodium Ferric Ethylenediaminetetraacetate; Exemption from the Requirement of a Tolerance [EPA-HQ-OPP-

□ 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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H2573

2010-0097; FRL 8867-7] received March 29, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1189. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Mancozeb; Pesticide Tolerances [EPA-HQ-OPP-2005-0307; FRL-8864-1] received March 29, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1190. A letter from the Director, Regulatory Management Agency, Environmental Protection Agency, transmitting the Agency's final rule — Indaziflam; Pesticide Tolerances [EPA-HQ-OPP-2009-0636; FRL-8864-3] received March 29, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1191. A letter from the Assistant Secretary, Navy, Department of Defense, transmitting 2010 annual report on the use of the authority to pay for meals sold by messes for United States Navy and Naval Auxiliary Vessels, pursuant to Public Law 110-417, section 1014(c) (122 Stat. 4586); to the Committee on Armed Services.

1192. A letter from the Under Secretary, Department of Defense, transmitting authorization of Brigadier General Norman J. Brozenick, United States Air Force, to wear the authorized insignia of the grade of major general; to the Committee on Armed Services.

1193. A letter from the Under Secretary, Department of Defense, transmitting a letter on the approved retirement of Lieutenant General Robert E. Durbin, United States Army, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

1194. A letter from the Secretary, Federal Trade Commission, transmitting the Commission's thirty-third annual report summarizing actions the Commission took during 2010 with respect to the Fair Debt Collection Practices Act, 15 U.S.C. 1692-1692o, pursuant to 15 U.S.C. 1692m; to the Committee on Financial Services.

1195. A letter from the Chairman, National Labor Relations Board, transmitting the Board's FY 2010 Buy American Act report; to the Committee on Education and the Workforce.

1196. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — State of California; Request for Approval of Section 112(1) Authority for Hazardous Air Pollutants; Perchloroethylene Air Emission Standards from Dry Cleaning Facilities [EPA-R09-OAR-2010-0680; FRL 9283-6] received March 29, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1197. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; Nevada; Determination of Attainment for the Clark County 8-Hour Ozone Nonattainment Area [EPA-R09-OAR-2011-0169; FRL-9286-8] received March 29, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1198. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans and Designations of Areas for Air Quality Planning Purposes; Georgia: Rome; Determinations of Attaining Data for the 1997 Annual Fine Particulate Standard [EPA-R04-OAR-2010-0798-201048; FRL-9288-8] received March 29, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1199. A letter from the Director, Congressional, Legislative and Intergovernmental Affairs, Federal Election Commission, transmitting revisions to the disclosure forms used by Presidential campaigns to report campaign finance activity; to the Committee on House Administration.

1200. A letter from the Public Printer, Government Printing Office, transmitting the Office's annual report for fiscal year 2010; to the Committee on House Administration.

1201. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Model 777-200, -200LR, -300, and -300ER Series Airplanes [Docket No.: FAA-2010-1156; Directorate Identifier 2010-NM-128-AD; Amendment 39-16622; AD 2011-05-12] (RIN: 2120-AA64) received April 4, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1202. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bombardier, Inc. Model DHC-8-400 Series Airplanes [Docket No.: FAA-2011-0154; Directorate Identifier 2011-NM-016-AD; Amendment 39-16624; AD 2011-05-14] (RIN: 2120-AA64) received April 4, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1203. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Model 747-100, 747-100B, 747-100B SUD, 747-200B, 747-200C, 747-200F, 747-300, 747SR, and 747SP Series Airplanes [Docket No.: FAA-2010-0679; Directorate Identifier 2009-NM-179-AD; Amendment 39-16621; AD 2011-05-11] (RIN: 2120-AA64) received April 4, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1204. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Saab AB, Saab Aerosystems Model SAAB 2000 Airplanes [Docket No.: FAA-2010-1198; Directorate Identifier 2010-NM-145-AD; Amendment 39-16623; AD 2011-05-13] (RIN: 2120-AA64) received April 4, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1205. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; BAE Systems (Operations) Limited model ATP Airplanes; BAE SYSTEMS (Operations) Limited Model HS 748 Airplanes [Docket No.: FAA-2011-0150; Directorate Identifier 2010-NM-100-AD; Amendment 39-16619; AD 2011-05-10] (RIN: 2120-AA64) received April 4, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1206. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Eurocopter France Model AS-365N2, AS 365 N3, and SA-365N1 Helicopters [Docket No.: FAA-2010-0781; Directorate Identifier 2007-SW-49-AD; Amendment 39-16590; AD 2011-03-06] (RIN: 2120-AA64) received April 4, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1207. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; APEX Aircraft Model CAP 10 B Airplanes [Docket No.: FAA-2010-1296; Directorate Identifier 2010-CE-063-AD; Amendment 39-16625; AD 2011-06-01] (RIN: 2120-AA64) received April 4, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1208. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Rolls-Royce plc RB211-Trent 768, 772, and 772B Turbofan Engines [Docket No.: FAA-2010-0960; Directorate Identifier 98-ANE-09-AD; Amendment 39-16620; AD 98-09-27R1] (RIN: 2120-AA64) received April 4, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1209. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; PIAGGIO AERO INDUSTRIES S.p.A. Model PIAGGIO P-180 Airplanes [Docket No.: FAA-2010-1099; Directorate Identifier 2010-CE-054-AD; Amendment 39-16610; AD 2011-05-01] (RIN: 2120-AA64) received April 4, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1210. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Allieg Ag Cat Productions, Inc. Models G-164, G-164A, G-164B, G-164B With 73" Wing Gap, G-164B-15T, G-164B-34T, G-164B-20T, G-164C, G-164D, and G-164D With 73" Wing Gap Airplanes [Docket No.: FAA-2011-0149; Directorate Identifier 2011-CE-001-AD; Amendment 39-16616; AD 2011-05-07] (RIN: 2120-AA64) received April 4, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1211. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; PIAGGIO AERO INDUSTRIES S.p.A Model PIAGGIO P-180 airplanes [Docket No.: FAA-2011-0054; Directorate Identifier 2010-CE-070-AD; Amendment 39-16582; AD 2011-01-53] (RIN: 2120-AA64) received April 4, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1212. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Pratt & Whitney JT8D-209, -217, -217A, -217C, and -219 Turbofan Engines [Docket No.: FAA-2010-0594; Directorate Identifier 98-ANE-43-AD; Amendment 39-16604; AD 2011-04-04] (RIN: 2120-AA64) received April 4, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1213. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Learjet Inc. Model 45 Airplanes [Docket No.: FAA-2010-0951; Directorate Identifier 2007-NM-107-AD; Amendment 39-16608; AD 2011-04-08] (RIN: 2120-AA64) received April 4, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1214. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Viking Air Limited (Type Certificate No. A-815 Formerly Held by Bombardier Inc. and de Havilland, Inc.) Model DHC-3 Airplanes [Docket No.: FAA-2010-1192; Directorate Identifier 2010-CE-020-AD; Amendment 39-16611; AD 2011-05-02] (RIN: 2120-AA64) received April 4, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1215. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Pratt & Whitney JT8D-209, -217, -217A, -217C, and -219 Turbofan Engines [Docket No.: FAA-2010-0594; Directorate Identifier 98-ANE-43-AD; Amendment 39-16604; AD 2011-04-04] (RIN: 2120-AA64) received April 4, 2011, pursuant to 5 U.S.C. 801(a)(1)(A);

to the Committee on Transportation and Infrastructure.

1216. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting proposed language to extend and amend the Cultural Property Implementation Act, pursuant to 19 U.S.C. 2602(g)(1); to the Committee on Ways and Means.

1217. A letter from the Chief Privacy Officer, Department of Homeland Security, transmitting the Department's first quarter report for fiscal year 2011 from the Office of Security and Privacy; 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. UPTON: Committee on Energy and Commerce. H.R. 1217. A bill to repeal the Prevention and Public Health Fund (Rept. 112-57). Referred to the Committee of the Whole House on the State of the Union.

Mr. RYAN of Wisconsin: Committee on the Budget. House Concurrent Resolution 34. Resolution establishing the budget for the United States Government for fiscal year 2012 and setting forth appropriate budgetary levels for fiscal years 2012 through 2021 (Rept. 112-58). 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. ROGERS of Kentucky:

H.R. 1473. A bill making appropriations for the Department of Defense and the other departments and agencies of the Government for the fiscal year ending September 30, 2011, and for other purposes; to the Committee on Appropriations, and in addition to the Committees on the Budget, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consider-

ation of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ALEXANDER:

H. Con. Res. 35. Concurrent resolution directing the Clerk of the House of Representatives to make a correction in the enrollment of H.R. 1473; to the Committee on Appropriations, and in addition to the Committee on House Administration, 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 Mrs. BLACK (for herself and Mrs. ROBY):

H. Con. Res. 36. Concurrent resolution directing the Clerk of the House of Representatives to make a correction in the enrollment of H.R. 1473; to the Committee on Appropriations, and in addition to the Committee on House Administration, 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 Mrs. EMERSON:

H. Res. 217. A resolution supporting the goals and ideals of Global Child Nutrition Month; to the Committee on Foreign Affairs, and in addition to the Committee on Agriculture, 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.

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. ROGERS of Kentucky:

H.R. 1473.

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

The principal constitutional authority for this legislation is clause 7 of section 9 of article I of the Constitution of the United States (the appropriation power), which

states: "No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law. . . ." In addition, clause 1 of section 8 of article I of the Constitution (the spending power) provides: "The Congress shall have the Power . . . to pay the Debts and provide for the common Defence and general Welfare of the United States. . . ." Together, these specific constitutional provisions establish the congressional power of the purse, granting Congress the authority to appropriate funds, to determine their purpose, amount, and period of availability, and to set forth terms and conditions governing their use.

ADDITIONAL SPONSORS

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

H.R. 36: Mr. DOGGETT.

H.R. 198: Mr. PIERLUISI and Ms. RICHARDSON.

H.R. 459: Mr. AUSTRIA.

H.R. 613: Mr. DUNCAN of Tennessee.

H.R. 661: Mr. COBLE.

H.R. 965: Ms. CLARKE of New York, Mr. COHEN, and Mr. WU.

H.R. 1195: Ms. ROS-LEHTINEN, Mr. MARINO, and Mrs. EMERSON.

H.R. 1281: Mr. BURTON of Indiana.

H.R. 1397: Mr. CARNAHAN, Mr. JOHNSON of Georgia, and Mr. CARSON of Indiana.

H.R. 1469: Mr. HASTINGS of Florida and Ms. BORDALLO.

CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, OR LIMITED TARIFF BENEFITS

Under clause 9 of rule XXI, lists or statements on congressional earmarks, limited tax benefits, or limited tariff benefits were submitted as follows:

OFFERED BY MR. ROGERS OF KENTUCKY

H.R. 1473, the Department of Defense and Full-Year Continuing Appropriations Act, 2011, does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 rule XXI.