

kept by the television system administered by the Speaker pursuant to rule V. But the imprimatur of the House may not be appropriated to other, ad hoc accounts or compositions of events in its chamber.

#### APPOINTMENT—HOUSE OFFICE BUILDING COMMISSION

The SPEAKER pro tempore. Pursuant to 2 U.S.C. 2001, and the order of the House of today, the Chair announces the Speaker's appointment of the gentleman from Virginia (Mr. CANTOR) and the gentlewoman from California (Ms. PELOSI) as members of the House Office Building Commission to serve with himself.

#### APPORTIONMENT POPULATION AND NUMBER OF REPRESENTATIVES, BY STATE: 2010 CENSUS— MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 112-5)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and referred to the Committees on the Judiciary and Oversight and Government Reform and ordered to be printed:

*To the Congress of the United States:*

Pursuant to title 2, United States Code, section 2a(a), I transmit herewith the statement showing the apportionment population for each State as of April 1, 2010, and the number of Representatives to which each State would be entitled.

BARACK OBAMA,  
THE WHITE HOUSE, January 5, 2011.

#### RECALL DESIGNEE

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

THE SPEAKER'S ROOMS,  
HOUSE OF REPRESENTATIVES,  
Washington, DC, January 5, 2011.

Hon. KAREN L. HAAS,  
Clerk of the House of Representatives, The Capitol, Washington, DC.

DEAR MADAM CLERK: Pursuant to House Concurrent Resolution 1, and also for pur-

poses of such concurrent resolutions of the current Congress as may contemplate my designation of Members to act in similar circumstances, I hereby designate Representative Eric Cantor of Virginia to act jointly with the Majority Leader of the Senate or his designee, in the event of my death or inability, to notify the Members of the House and the Senate, respectively, or any reassembly under any such concurrent resolution. In the event of the death or inability of that designee, the alternate Members of the House listed in the letter bearing this date that I have placed with the Clerk are designated, in turn, for the same purposes.

Sincerely,

JOHN A. BOEHNER,  
Speaker.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair announces that the Speaker has delivered to the Clerk a letter dated January 5, 2011, listing Members in the order in which each shall act as Speaker pro tempore under clause 8(b)(3) of rule I.

#### PROVIDING FOR A CONDITIONAL RECESS OR ADJOURNMENT OF THE SENATE AND AN ADJOURNMENT OF THE HOUSE OF REPRESENTATIVES

The SPEAKER pro tempore laid before the House the following privileged concurrent resolution:

S. CON. RES. 1

*Resolved by the Senate (the House of Representatives concurring).* That (a) when the Senate adjourns or recesses on any day from Wednesday, January 5, 2011, through Monday, January 10, 2011, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand adjourned or recessed until 10 a.m. on Tuesday, January 25, 2011, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first; and

(b) when the House adjourns on the legislative day of Wednesday, January 12, 2011, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand adjourned until 2 p.m. on Tuesday, January 18, 2011, or until the time of any reassembly pursuant to section 3 of

this concurrent resolution, whichever occurs first; and when the House adjourns on any legislative day from Wednesday, January 26, 2011, through Friday, January 28, 2011, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand adjourned until 2 p.m. on Tuesday, February 8, 2011 or until the time of any reassembly pursuant to section 3 of this concurrent resolution, whichever occurs first.

SEC. 2. (a) The Majority Leader of the Senate, or his designee, after consultation with the Minority Leader of the Senate, or his designee, shall notify the Members of the Senate to reassemble at such place and time as he may designate if, in his opinion, the public interest shall warrant it.

(b) After reassembling pursuant to subsection (a), when the Senate recesses or adjourns on a motion offered pursuant to this subsection by its Majority Leader or his designee, the Senate shall again stand recessed or adjourned pursuant to the first section of this concurrent resolution.

SEC. 3. The Speaker or his designee, after consultation with the Minority Leader of the House, shall notify Members of the House to reassemble at such place and time as he may designate if, in his opinion, the public interest shall warrant it.

The concurrent resolution was concurred in.

A motion to reconsider was laid on the table.

#### LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. DEFAZIO (at the request of Ms. PELOSI) for today on account of official business in the district.

#### ADJOURNMENT

Ms. FOXX. Madam Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 50 minutes p.m.), the House adjourned until tomorrow, Thursday, January 6, 2011, at 10 a.m.

## PROCEEDINGS OF THE HOUSE OF REPRESENTATIVES AFTER SINE DIE ADJOURNMENT OF THE 111TH CONGRESS 2D SESSION AND FOLLOWING PUBLI- CATION OF THE FINAL EDITION OF THE CON- GRESSIONAL RECORD OF THE 111TH CONGRESS 2D SESSION

#### BILLS PRESENTED TO THE PRESIDENT AFTER SINE DIE ADJOURNMENT

Lorraine C. Miller, Clerk of the House reports that on December 29, 2010 she presented to the President of

the United States, for his approval, the following bills.

H.R. 6523. To authorize appropriations for fiscal year 2011 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military

personnel strengths for such fiscal year, and for other purposes.

H.R. 2751. To amend the Federal Food, Drug, and Cosmetic Act with respect to the safety of the food supply.

H.R. 5809. To amend the Energy Policy Act of 2005 to reauthorize and modify provisions relating to the diesel emissions reduction program.

H.R. 5901. To amend the Internal Revenue Code of 1986 to authorize the tax court to appoint employees.

H.R. 2142. To require quarterly performance assessments of Government programs for purposes of assessing agency performance and improvement, and to establish agency performance improvement officers and the Performance Improvement Council.

#### EXECUTIVE COMMUNICATIONS, ETC.

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

1. A letter from the Assistant Secretary, Department of Defense, transmitting a report on Department of Defense counter-terrorism activities, pursuant to Public Law 111-84, section 1022; to the Committee on Armed Services.

2. A letter from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement; Foreign Participation in Acquisitions in Support of Operations in Afghanistan (DFARS Case 2009-D012) (RIN: 0750-AG80) received January 3, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

3. A letter from the General Counsel, Federal Housing Finance Agency, transmitting the Agency's final rule — Minority and Women Inclusion (RIN: 2590-AA28) received January 3, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

4. A letter from the General Counsel, Federal Housing Finance Agency, transmitting the Agency's final rule — Portfolio Holdings (RIN: 2590-AA22) received January 3, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

5. A letter from the General Counsel, Federal Housing Finance Agency, transmitting the Agency's final rule — Federal Home Loan Bank Housing Goals (RIN: 2590-AA16) received January 3, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

6. A letter from the Secretary, Department of Health and Human Services, transmitting a report to Congress on Preventive and Obesity-Related Services Available to Medicaid Enrollees, pursuant to Public Law 111-148, section 4004(i); to the Committee on Energy and Commerce.

7. A letter from the Program Manager, Department of Health and Human Services, transmitting the Department's "Major" final rule — Medicaid Program; Final FY 2009 and Preliminary FY 2011 Disproportionate Share Hospital Allotments, and Final FY 2009 and Preliminary FY 2011 Institutions for Mental Diseases Disproportionate Share Hospital Limits [CMS-2321-N] (RIN: 0938-AQ44) received December 30, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

8. A letter from the Secretary, Department of Health and Human Services, transmitting a report to Congress on activities related to the regulation of free samples of tobacco products; to the Committee on Energy and Commerce.

9. A letter from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule — Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations, (Pacific Junction, Iowa) [MB Docket No.: 10-108] received January 3, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

10. A letter from the Secretary, Department of the Treasury, transmitting as required by section 401(c) of the National Emergencies Act, 50 U.S.C. 1641(c), and section 204(c) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(c), and pursuant to Executive Order 13313 of July 31, 2003, a six-month periodic report on the national emergency with respect to the Western Balkans that was declared in Executive Order 13219 of June 26, 2001, pursuant to 50 U.S.C. 1641(c); to the Committee on Foreign Affairs.

11. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 10-108, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

12. A letter from the Assistant Secretary for Export Administration, Department of Commerce, transmitting the Department's final rule — Publicly Available Mass Market Encryption Software and Other Specified Publicly Available Encryption Software in Object Code [Docket No.: 100108014-0121-01] (RIN: 0694-AE82) received January 3, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Foreign Affairs.

13. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting the Department's annual report on foreign military or defense ministry civilian involvement in the International Military Education and Training (IMET) program, pursuant to Section 549 of the Foreign Assistance Act of 1961, as amended; to the Committee on Foreign Affairs.

14. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 10-120, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

15. A letter from the Inspector General, Department of the Treasury, transmitting a report to Congress entitled "Significant Problems Still Exist With Internal Revenue Service Efforts to Identify Prisoner Tax Refund Fraud", pursuant to Public Law 110-428; to the Committee on Oversight and Government Reform.

16. A letter from the Senior Procurement Executive, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation; Federal Acquisition Circular 2005-48; Introduction [Docket: FAR 2010-0076, Sequence 10] received January 3, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

17. A letter from the Administrator, National Aeronautics and Space Administration, transmitting the Administration's Performance and Accountability Report for fiscal year 2010, pursuant to Public Law 106-531; to the Committee on Oversight and Government Reform.

18. A letter from the Commissioner, Social Security Administration, transmitting the semiannual report on the activities of the Office of Inspector General for the period April 1, 2010 through September 30, 2010, pursuant to 5 U.S.C. app. (Insp. Gen. Act), section 5(b); to the Committee on Oversight and Government Reform.

19. A letter from the Assistant Attorney General, Department of Justice, transmitting annual report pursuant to the Military and Overseas Voter Empowerment Act, pursuant to Public Law 111-84, section 587; to the Committee on House Administration.

20. A letter from the Clerk, U.S. House of Representatives, transmitting List of reports pursuant to Clause 2(b), Rule II of the Rules of the House of Representatives, pursuant to Rule II, clause 2(b), of the Rules of the House; (H. Doc. No. 112-4); to the Committee

on House Administration and ordered to be printed.

21. A letter from the Principal Deputy Assistant Attorney General, Civil Rights Division, Department of Justice, transmitting the Department's "Major" final rule — Non-discrimination on the Basis of Disability in State and Local Government Services [CRT Docket No.: 105; AG Order No. 3180-2010] (RIN: 1190-AA46) received December 30, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

22. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting the Department's final rule — Visas: Waiver for Ineligible Nonimmigrants under INA 212(d)(3)(A), As Amended; Applicants Ineligible Under INA 212(a)(3)(E)(iii) [Public Notice:] received January 3, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

23. A letter from the Secretary, Judicial Conference of the United States, transmitting a letter on the adequacy of the rules prescribed by the Supreme Court to protect privacy and address security concerns relating to electronically filed documents in the federal courts, pursuant to Public Law 107-347, section 205(c)(3)(C); to the Committee on the Judiciary.

24. A letter from the Deputy Assistant Secretary for Import Administration, Department of Commerce, transmitting the Department's annual report for fiscal year 2009 on the activities of the Foreign-Trade Zones Board, pursuant to 19 U.S.C. 81p(c); to the Committee on Ways and Means.

#### 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 actions occurred on December 30, 2010]*

Mr. FILNER: Committee on Veterans' Affairs. Activities Report of the Committee on Veterans' Affairs, 111th Congress (Rept. 111-697). Referred to the Committee of the Whole House on the State of the Union.

Mr. GORDON of Tennessee: Committee on Science and Technology. Summary of Activities of the Committee on Science and Technology for the 111th Congress (Rept. 111-698). Referred to the Committee of the Whole House on the State of the Union.

Mr. THOMPSON of Mississippi: Committee on Homeland Security. Report on Legislative and Oversight Activities of the House Committee on Homeland Security for the 111th Congress (Rept. 111-699). Referred to the Committee of the Whole House on the State of the Union.

*[The following actions occurred on January 3, 2011]*

Mr. OBEY: Committee on Appropriations. Report on Activities of the Committee on Appropriations, 111th Congress (Rept. 111-700). Referred to the Committee of the Whole House on the State of the Union.

Mr. RAHALL: Committee on Natural Resources. Report on Legislative and Oversight Activities of the Committee on Natural Resources During the 111th Congress (Rept. 111-701). Referred to the Committee of the Whole House on the State of the Union.

Mr. FRANK of Massachusetts: Committee on Financial Services. Report on the Activity of the Committee on Financial Services for the 111th Congress (Rept. 111-702). Referred to the Committee of the Whole House on the State of the Union.