

power. But yet, the Supreme Court, in their imagination in 1965, created this right to privacy, a right to privacy fabricated out of whole cloth, didn't exist in the Constitution, doesn't exist today in the Constitution, but it exists on the lips of every law school professor that's teaching constitutional law, a right to privacy that's been created now by the Supreme Court. They say it was in this Constitution somehow but had never been discovered until the Supreme Court discovered it in *Griswold v. Connecticut*.

So it was against the law in Connecticut, Massachusetts, and multiple other States to even sell contraceptives. So the Supreme Court created a right to privacy and outlawed the ban on contraceptives in Connecticut.

I say if you lived in Connecticut in 1965 and you wanted contraceptives, you could drive across the State line, or you could move to another State. That was the vision of the laboratories of the State experiment of the Founding Fathers. States' rights, Tenth Amendment. They imposed that in 1965.

Oh, by the way, in 1972 there was a case called *Eisenstadt* that said, well—it was just married people in *Griswold* in 1965. *Eisenstadt* came along and said, well, if there's a right to privacy for married people to be able to purchase contraceptives, surely that exists for unmarried people as well. They imposed that, and the Federal Government took another reach, and now we have the foundation for *Roe v. Wade*, which turned into—the right to privacy became the foundational argument for *Roe v. Wade* in 1973, just 8 years after *Griswold*.

And they found, in the emanations and penumbras, a right to abortion. Only the right to abortion of a non-viable fetus, I might add, but the companion case was *Doe v. Bolton*. And in that case it said, But there will be exceptions to the viable fetus if the health of the mother is considered. And health of the mother was defined to be mental, physical, or familial health of the mother. And so it was an open door right to any kind of abortion, this all rooted in judicial activism, I might add.

Today, seeing what has happened in *Griswold*, and them setting aside a State law, now, to the point where the President of the United States, Mr. Speaker, stepped before a press conference, a week, 2 weeks ago, on a Friday at noon, and he said, Well, okay, you know I might have gotten in a little hot water about taking away the rights to conscience of the Catholic Church and other religious institutions by telling them, through Kathleen Sebelius, that they shall provide, not just contraceptives any longer—I want to emphasize, Mr. Speaker, it wasn't just that. It was contraceptives, sterilizations, and abortifacients, pills that cause abortion, requiring religious organizations, pro-life organizations, especially the Catholic Church, to pro-

vide that if they're going to provide any kind of health care for their employees or their patients, a direct, clear, imposition of a violation of rights to conscience.

And Father Jonathan Morris said, publicly, that you cannot force someone to violate their conscience. You keep your convictions of your conscience, even unto death. I applaud the position that he has taken. I endorse that position that he has taken.

But now, a few days after this announcement came out, and the heat came on the President, his noon press conference on that Friday, he stepped up and, instead of, let's say, legislating within the confines of the Constitution itself, the supreme law of the land, or amending the Constitution if you disagree with what it says, or even legislating from the bench, as *Griswold*, *Eisenstadt*, *Roe* and *Doe*, and many others have done, we have now a President with the highest degree of audacity I have ever seen—and by the way, he uses that term "audacity" pretty often.

□ 1350

He thinks he's legislating by press conference. He said, Well, I'm not going to impose this on you any longer, Catholic Church and others. I'm going to impose it on insurance companies. They shall provide contraceptives, sterilizations, abortifacients, abortion-causing pills, and they shall do it at no charge.

The audacity of the President of the United States to issue such a thing. And we should not comply with such an unconstitutional order from the President of the United States.

Mr. Speaker, I appreciate your indulgence, and I yield back the balance of my time.

#### LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. NADLER (at the request of Ms. PELOSI) for today on account of medical reasons.

Mr. SHIMKUS (at the request of Mr. CANTOR) for today on account of surveying tornado damage in his district.

#### ADJOURNMENT

Mr. KING of Iowa. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 50 minutes p.m.), under its previous order, the House adjourned until Monday, March 5, 2012, at noon for morning-hour debate.

#### EXECUTIVE COMMUNICATIONS, ETC.

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

5146. A letter from the Chairman, Securities and Exchange Commission, transmitting

a report of a violation of the Antideficiency Act; to the Committee on Appropriations.

5147. A letter from the Chairman, Securities and Exchange Commission, transmitting a report of a violation of the Antideficiency Act; to the Committee on Appropriations.

5148. A letter from the Chief Counsel, Department of Homeland Security, transmitting the Department's final rule — Suspension of Community Eligibility [Docket ID: FEMA-2011-0002] [Internal Agency Docket No.: FEMA-8213] received January 13, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

5149. A letter from the Chairman, Securities and Exchange Commission, transmitting the Commission's 2010 Annual Report of the Securities Investor Protection Corporation; to the Committee on Financial Services.

5150. A letter from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Department of Energy, transmitting the Department's final rule — Patent Compensation Board Regulations (RIN: 1990-AA33) received February 2, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5151. A letter from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Department of Energy, transmitting the Department's final rule — DOE Patent Licensing Regulations (RIN: 1990-AA41) received February 2, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5152. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule — NRC Procedures for Placement and Monitoring of Work with the U.S. Department of Energy, Management Directive 11.7, DT-12-02 received February 6, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5153. A letter from the Acting Director, Defense Security Cooperation Agency, transmitting a notice of proposed lease with the Government of Poland (Transmittal No. 02-12) pursuant to Section 62(a) of the Arms Export Control Act; to the Committee on Foreign Affairs.

5154. A letter from the Secretary, Department of Commerce, transmitting Periodic Report on the National Emergency Caused by the Lapse of the Export Administration Act of 1979 for February 26, 2011 — August 25, 2011; to the Committee on Foreign Affairs.

5155. A letter from the Assistant Secretary, Department of Defense, transmitting report on proposed obligations of funds provided for the Cooperative Threat Reduction Program; to the Committee on Foreign Affairs.

5156. A letter from the Special Inspector General for Afghanistan Reconstruction, transmitting the fourteenth quarterly report on the Afghanistan reconstruction, pursuant to Public Law 110-181, section 1229; to the Committee on Foreign Affairs.

5157. A letter from the Director, Office of Communications and Legislative Affairs, Equal Employment Opportunity Commission, transmitting the Commission's Annual Sunshine Act Report for 2011; to the Committee on Oversight and Government Reform.

5158. A letter from the Deputy Chief, National Forest System, Department of Agriculture, transmitting the Department's report on the detailed boundary of Sturgeon Wild and Scenic River in Michigan, pursuant to 16 U.S.C. 1274; to the Committee on Natural Resources.

5159. A letter from the Acting Assistant Secretary for Fish and Wildlife and Parks, Department of the Interior, transmitting the Department's final rule — Change of Addresses for Regional Offices, Addition of One New Address, and Correction of Names of

House and Senate Committees We Must Notify [Docket No.: FWS-R9-NWRS-2011-0108] (RIN: 1018-AU89) received February 2, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

5160. A letter from the Acting Assistant Secretary, Fish and Wildlife and Parks, Department of the Interior, transmitting the Department's final rule — Special Regulations; Areas of the National Park System, Cape Cod National Seashore (RIN: 1024-AD88) received February 15, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

5161. A letter from the FWS Chief, Branch of Aquatic Invasive Species, Department of the Interior, transmitting the Department's final rule — Injurious Wildlife Species; Listing Three Python Species and One Anaconda Species as Injurious Reptiles [FWS-R9-FHC-2008-0015; FXFR1336090000N5-123-FF09F14000] received February 6, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

5162. A letter from the Chief, Recovery and Delisting, Department of the Interior, transmitting the Department's final rule — Endangered and Threatened Wildlife and Plants; Bald Eagles Nesting in Sonoran Desert Area of Central Arizona Removed from the List of Endangered and Threatened Wildlife [Docket ID: FWS-R2-ES-2011-0069] (RIN: 1018-AX08) received February 6, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

5163. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting the Department's final rule — Visas: Issuance of Full Validity L Visas to Qualified Applicants received February 13, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

5164. A letter from the Secretary, Department of Transportation, transmitting the Department's report on the Tribal-State Road Maintenance Agreements for 2011, pursuant to Public Law 109-59, section 1119(k); to the Committee on Transportation and Infrastructure.

5165. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Determination of Housing Cost Amounts Eligible for Exclusion or Deduction for 2012 [Notice 2012-19] received February 15, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); 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:

Mr. BACHUS: Committee on Financial Services. H.R. 3606. A bill to increase American job creation and economic growth by improving access to the public capital markets for emerging growth companies, with an amendment. (Rept. 112-406). 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. LATHAM:

H.R. 4116. A bill to provide for regulatory accountability and for the revision of economically burdensome regulations, and for other purposes; to the Committee on the Ju-

diciary, and in addition to the Committees on Rules, the Budget, and Oversight and Government Reform, 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. MCKEON:

H.R. 4117. A bill to prohibit the use of private security contractors and members of the Afghan Public Protection Force to provide security for members of the Armed Forces and military installations and facilities in Afghanistan, and for other purposes; to the Committee on Armed Services.

By Mr. CRITZ (for himself, Ms. VELÁZQUEZ, Mr. CICILLINE, and Ms. HAHN):

H.R. 4118. A bill to amend the Small Business Act to provide for increased small business participation in multiple award contracts, and for other purposes; to the Committee on Small Business, and in addition to the Committee on Oversight and Government Reform, 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. REYES (for himself, Mr. QUAYLE, Mr. DREIER, and Mr. THOMPSON of Mississippi):

H.R. 4119. A bill to reduce the trafficking of drugs and to prevent human smuggling across the Southwest Border by deterring the construction and use of border tunnels; to the Committee on the Judiciary, and in addition to the Committees on Ways and Means, and Homeland Security, 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. DENT (for himself, Mr. COURTNEY, Mr. FITZPATRICK, and Mr. PAYNE):

H.R. 4120. A bill to amend title XVIII of the Social Security Act to waive coinsurance under Medicare for colorectal cancer screening tests, regardless of whether therapeutic intervention is required during the screening; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, 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. SCHRADER (for himself, Ms. HAHN, Mr. CICILLINE, Ms. CHU, Ms. VELÁZQUEZ, Mr. PETERS, and Mr. RICHMOND):

H.R. 4121. A bill to provide for a program to provide Federal contracts to early stage small businesses, and for other purposes; to the Committee on Small Business.

By Mr. MCKEON (for himself, Ms. LORETTA SANCHEZ of California, Mr. FARR, and Mr. KUCINICH):

H.R. 4122. A bill to amend the Lacey Act Amendments of 1981 to clarify provisions enacted by the Captive Wildlife Safety Act, to further the conservation of certain wildlife species, and for other purposes; to the Committee on Natural Resources.

By Mr. McDERMOTT (for himself, Mr. ACKERMAN, Mr. McGOVERN, Mr. PASTOR of Arizona, Mr. STARK, Ms. SUTTON, Mr. TIERNEY, Mr. KIND, Ms. DeLAURO, Mr. RANGEL, Ms. CHU, Mr. LEVIN, Mr. BRADY of Pennsylvania, Mr. LOEBBACH, Mr. VISLOSKEY, Mr. JACKSON of Illinois, Mr. HASTINGS of Florida, Ms. SCHAKOWSKY, Mr. NADLER, Mr. WALZ of Minnesota, Ms. SPEIER, Ms. MCCOLLUM, Mrs. MALONEY, Mr. CONYERS, Ms. NORTON, Mr. GUTIERREZ, Mr. HOLT, and Mr. LEWIS of Georgia):

H.R. 4123. A bill to amend the Internal Revenue Code of 1986 to permit the Secretary of the Treasury to issue prospective guidance clarifying the employment status of individuals for purposes of employment taxes and to prevent retroactive assessments with respect to such clarifications; to the Committee on Ways and Means.

By Mr. KINZINGER of Illinois (for himself, Mrs. CAPPS, Mr. BUTTERFIELD, Mr. TOWNS, Mr. HUNTER, Mr. HULTGREN, Mr. SCHILLING, and Mr. SCHOCK):

H.R. 4124. A bill to amend the Public Health Service Act to provide grants to States to streamline State requirements and procedures for veterans with military emergency medical training to become civilian emergency medical technicians; to the Committee on Energy and Commerce.

By Mr. BROOKS (for himself, Mr. ROGERS of Alabama, Mr. JONES, Mr. TURNER of Ohio, and Mr. FRANKS of Arizona):

H.R. 4125. A bill to ensure the effectiveness of the missile defense system of the United States, and for other purposes; to the Committee on Armed Services, and in addition to the Committee on Foreign Affairs, 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. COHEN (for himself, Ms. NORTON, Ms. MOORE, Mr. JACKSON of Illinois, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. ELLISON, and Ms. SCHAKOWSKY):

H.R. 4126. A bill to amend the National Voter Registration Act of 1993 to require each voter registration agency in a State which requires an individual to present a government-issued photo identification as a condition of voting in an election for Federal office to provide such an identification without charge upon request to any such individual who does not otherwise possess one, and for other purposes; to the Committee on House Administration.

By Mr. HECK (for himself, Mrs. ELLMERS, Mr. DESJARLAIS, Mr. AMODEI, Ms. BERKLEY, Mr. ROE of Tennessee, Mr. BENISHK, Mr. PRICE of Georgia, and Mr. SESSIONS):

H.R. 4127. A bill to amend title XVIII of the Social Security Act to exempt certain requests by physicians for consultations by radiation oncologists from the limitation on certain physician referrals under Medicare; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, 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. HUNTER (for himself, Mr. STUTZMAN, Mr. KINZINGER of Illinois, Mr. DENHAM, Mr. PALAZZO, Mr. ROONEY, Mr. QUAYLE, Mr. GUTHRIE, Mr. FRANKS of Arizona, Mr. GRIMM, Mr. ISSA, Mr. PITTS, Mrs. BACHMANN, Mrs. BLACKBURN, Mr. BROWN of Georgia, Mr. MULVANEY, Mr. WALSH of Illinois, and Mr. BILBRAY):

H.R. 4128. A bill to recognize a primary measure of national unemployment for purposes of the Federal Government; to the Committee on Education and the Workforce.

By Mr. LANGEVIN (for himself and Mr. CICILLINE):

H.R. 4129. A bill to amend the Magnuson-Stevens Fishery Conservation and Management Act to add Rhode Island to the Mid-Atlantic Fishery Management Council; to the Committee on Natural Resources.

By Mr. PAYNE (for himself and Mr. RANGEL):