

Thursday, June 2, 2011

## HIGHLIGHTS

The House passed H.R. 2017, Department of Homeland Security Appropriations Act, 2012.

## Senate

### *Chamber Action*

The Senate stands adjourned until 10:30 a.m., on Friday, June 3, 2011.

### *Committee Meetings*

No committee meetings were held.

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## House of Representatives

### *Chamber Action*

**Public Bills and Resolutions Introduced:** 21 public bills, H.R. 2084–2104; and 4 resolutions, H. Con. Res. 58; and H. Res. 292–293, 295 were introduced. **Pages H3984–86**

**Additional Cosponsors:** **Pages H3986–87**

**Reports Filed:** Reports were filed today as follows:

H. Res. 294, providing for consideration of the resolution (H. Res. 292) declaring that the President shall not deploy, establish, or maintain the presence of units and members of the United States Armed Forces on the ground in Libya, and for other purposes, and providing for consideration of the concurrent resolution (H. Con. Res. 51) directing the President, pursuant to section 5(c) of the War Powers Resolution, to remove the United States Armed Forces from Libya (H. Rept. 112–99) and

H.R. 672, to terminate the Election Assistance Commission, and for other purposes, with an amendment (H. Rept. 112–100, Pt. 1). **Page H3984**

**Recess:** The House recessed at 11:09 a.m. and reconvened at 12 noon. **Page H3925**

**Chaplain:** The prayer was offered by the guest chaplain, Reverend Dr. John Sloop, First Presbyterian Church, Harrisonburg, Virginia. **Page H3925**

**Recess:** The House recessed at 3:20 p.m. and reconvened at 4:11 p.m. **Page H3945**

**Department of Homeland Security Appropriations Act, 2012:** The House passed H.R. 2017, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2012, by a yea-and-nay vote of 231 yeas to 188

nays, Roll No. 409. Consideration of the measure began yesterday, June 1st. **Pages H3928–36 H3939–64**

Rejected the Bishop (NY) motion to recommit the bill to the Committee on Appropriations with instructions to report the same back to the House forthwith with an amendment, by a recorded vote of 187 yeas to 234 noes, Roll No. 408. **Page H3961**

Agreed to:

Jackson Lee (TX) amendment that prohibits funds from being used in contravention of section 44917 of title 49, United States Code; **Pages H3930–31**

Clarke (MI) amendment that was debated on June 1st that strikes language relating to the top 10 highest risk urban areas (by a recorded vote of 273 yeas to 150 noes, Roll No. 389); **Pages H3931–32**

Sessions amendment that was debated on June 1st that strikes section 514 (by a recorded vote of 218 yeas to 204 noes, Roll No. 390); **Pages H3932–33**

Lummis amendment that was debated on June 1st that strikes section 547 (by a recorded vote of 238 yeas to 177 noes, Roll No. 391); **Page H3933**

Carter amendment that was debated on June 1st that prohibits funds from being used for the Climate Change Adaptation Task Force of the Department of Homeland Security (by a recorded vote of 242 yeas to 180 noes, Roll No. 392); **Pages H3933–34**

Price (NC) amendment that was debated on June 1st that prohibits funds from being used to enforce requirements in certain sections of the Federal Fire Prevention and Control Act of 1974 (by a recorded vote of 264 yeas to 157 noes, Roll No. 393); **Pages H3934–35**

King (IA) amendment that was debated on June 1st that prohibits funds from being made available to the Association of Community Organizations for

Reform Now and related organizations (by a recorded vote of 251 ayes to 168 noes with 1 voting “present,” Roll No. 397); **Pages H3954–55**

Cravaack amendment that was debated on June 1st that prohibits funds from being used in contravention of section 236(c) of the Immigration and Nationality Act (by a recorded vote of 289 ayes to 131 noes, Roll No. 398); **Page H3955**

Amash amendment that was debated on June 1st that prohibits funds from being used for any action by a political appointee to delay, vacate, or reverse any decision by an employee in the Privacy Office of the Department of Homeland Security to make records available pursuant to the Freedom of Information Act (by a recorded vote of 257 ayes to 164 noes, Roll No. 401); **Page H3957**

Rokita amendment that was debated on June 1st that prohibits funds from being used to implement the determination of the Administrator of the Transportation Security Administration regarding transportation security officers and collective bargaining as described in the decision memorandum dated February 4, 2011 (by a recorded vote of 218 ayes to 205 noes, Roll No. 403); **Pages H3958–59**

Cole amendment (No. 42 printed in the Congressional Record of June 1, 2011) that prohibits funds from being used to implement any rule, regulation, or executive order regarding the disclosure of political contributions that takes effect on or after the date of enactment of this Act (by a recorded vote of 252 ayes to 170 noes, Roll No. 404); and

**Pages H3939–40, H3959**

Mica amendment that allocates no more than \$2,760,503,458 for screener personnel, compensation, and benefits under the heading “Transportation Security Administration—Aviation Security” (by a recorded vote of 219 ayes to 204 noes, Roll No. 406). **Pages H3943–46, H3960–61**

Rejected:

Sherman amendment that was debated on June 1st that sought to prohibit funds from being used in contravention of the War Powers Resolution (50 U.S.C. 1541 et seq.) (by a recorded vote of 208 ayes to 213 noes, Roll No. 394); **Page H3935**

Gosar amendment that was debated on June 1st that sought to prohibit funds from being used to comply with subchapter IV of chapter 31 of title 40, United States Code, popularly known as the Davis-Bacon Act (by a recorded vote of 183 ayes to 234 noes, Roll No. 395); **Pages H3935–36**

Scalise amendment that was debated on June 1st that prohibits funds from being used to implement or enforce Executive Order 13502, the FAR Council supporting regulations FAR Rule 2009–005, or any agency memorandum, bulletin, or contracting policy that derives its authority from Executive Order

13502 or FAR Rule 2009–005 (by a recorded vote of 207 ayes to 213 noes, Roll No. 396); **Page H3953**

Amash amendment that was debated on June 1st that sought to prohibit funds from being used to purchase new advanced imaging technology machines (by a recorded vote of 127 ayes to 295 noes, Roll No. 399); **Pages H3955–56**

Amash amendment that was debated on June 1st that sought to prohibit funds from being used to operate or maintain existing advanced imaging technology machines as mandatory or primary screening devices (by a recorded vote of 123 ayes to 300 noes, Roll No. 400); **Pages H3956–57**

Rokita amendment that was debated on June 1st that sought to reduce each amount made available by the Act by 10 percent (by a recorded vote of 110 ayes to 312 noes, Roll No. 402); **Pages H3957–58**

Gohmert amendment that sought to prohibit funds from being used for the new construction, purchase, or lease of any building or space in the District of Columbia except where a contract for the construction, purchase, or lease was entered into before the date of the enactment of this Act (by a recorded vote of 199 ayes to 224 noes, Roll No. 405); and **Pages H3940–41, H3959–60**

Polis amendment (No. 23 printed in the Congressional Record of June 1, 2011) that sought to prohibit funds from being used to carry out section 287(g) of the Immigration and Nationality Act (by a recorded vote of 107 ayes to 313 noes, Roll No. 407). **Pages H3946–48, H3961**

Withdrawn:

Issa amendment that was offered and subsequently withdrawn that would have prohibited funds from being used to promulgate regulations that will result in private sector job losses to United States companies. **Pages H3941–43**

Point of Order sustained against:

Baldwin amendment that sought to prohibit funds from being used to design, develop, or procure any vessel of the Coast Guard Offshore Patrol Cutter class of ships unless the main propulsion diesel engines of the vessel are manufactured in the United States by a domestically operated entity; **Page H3928**

Speier amendment (No. 19 printed in the Congressional Record of June 1, 2011) that sought to prohibit funds from being used by the Transportation Security Administration to purchase clothing that is not 100 percent domestic in origin; and

**Page H3929**

Speier amendment (No. 18 printed in the Congressional Record of June 1, 2011) that sought to

prohibit funds from being used to award a non-competitively bid contract to an Alaska Native Corporation, Indian Tribe, or Native Hawaiian Organization in an amount in excess of the competitive bidding threshold; and **Page H3929**

Eshoo amendment that sought to prohibit funds from being used to enter into a contract with a corporation or other business entity that does not disclose its political expenditures. **Pages H3951–53**

H. Res. 287, the rule providing for consideration of the bill, was agreed to yesterday, June 1st.

**Committee Election:** The House agreed to H. Res. 293, electing a Member to a certain standing committee of the House of Representatives. **Page H3964**

**Military Construction and Veterans Affairs and Related Agencies Appropriations Act, 2012:** The House began consideration of H.R. 2055, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2012.

**Pages H3936–39, H3964–77**

Agreed to:

Culberson amendment that redirects \$20 million with respect to the Veterans Health Administration, Medical Services; redirects \$100,000 with respect to Medical Support and Compliance; increases funding, by offset, for Medical and Prosthetic Research by \$22 million; redirects \$100,000 with respect to the Veterans Benefits Administration, General Operating Expenses; and redirects \$70 million with respect to Information Technology Systems. **Pages H3976–77**

H. Res. 288, the rule providing for consideration of the bill, was agreed to by voice vote after the previous question was ordered without objection.

**Pages H3936–39**

**Amendments:** Amendments ordered printed pursuant to the rule appear on page H3987.

**Quorum Calls—Votes:** One yea-and-nay vote and twenty recorded votes developed during the proceedings of today and appear on pages H3931–32, H3932–33, H3933, H3933–34, H3934–35, H3935, H3935–36, H3953, H3954–55, H3955, H3956, H3956–57, H3957, H3957–58, H3958–59, H3959, H3959–60, H3960–61, H3961, H3962–63 and H3963. There were no quorum calls.

**Adjournment:** The House met at 10 a.m. and adjourned at 9:03 p.m.

## Committee Meetings

### USDA INSPECTOR GENERAL

*Committee on Agriculture:* Subcommittee on Department Operations, Oversight, and Credit held a hearing to review recent investigations and audits of the

USDA Inspector General. Testimony was heard from Phyllis K. Fong, Inspector General, Office of Inspector General, Department of Agriculture.

### LEGISLATIVE BRANCH—APPROPRIATIONS

*Committee on Appropriations:* Subcommittee on Legislative Branch held a hearing on U.S. Capitol Police FY 2012 Budget Request. Testimony was heard from Chief Phillip D. Morse, Sr., Chief of Police.

### MISCELLANEOUS MEASURES

*Committee on Appropriations:* Subcommittee on Energy and Water Development held a markup of Energy and Water Appropriations Act, FY 2012. The bill was forwarded without amendment.

### FANNIE MAE, FREDDIE MAC AND FHA: TAXPAYER EXPOSURE IN THE HOUSING MARKETS

*Committee on the Budget:* Full Committee held a hearing on Fannie Mae, Freddie Mac and FHA: Taxpayer Exposure in the Housing Markets. Testimony was heard from Deborah J. Lucas, Assistant Director, CBO; and public witnesses.

### FANNIE MAE, FREDDIE MAC AND FHA: TAXPAYER EXPOSURE IN THE HOUSING MARKETS

*Committee on Education and the Workforce:* Subcommittee on Health, Employment, Labor, and Pensions held a hearing entitled “Fannie Mae, Freddie Mac and FHA: Taxpayer Exposure in the Housing Markets.” Testimony was heard from Elliot P. Lewis, Assistant Inspector General for Audit, Department of Labor; James L. Taylor, Chief Financial Officer, Department of Labor; and public witnesses.

### MISCELLANEOUS MEASURES

*Committee on Energy and Commerce:* Full Committee continued markup of H.R. 2021, Jobs and Energy Permitting Act of 2011. The bill was ordered reported without amendment.

### SONY AND EPSILON: LESSONS FOR DATA SECURITY LEGISLATION

*Committee on Energy and Commerce:* Subcommittee on Commerce, Manufacturing, and Trade held a hearing entitled “Sony and Epsilon: Lessons for Data Security Legislation.” Testimony was heard from public witnesses.

### PPACA’S EFFECTS ON MAINTAINING HEALTH COVERAGE AND JOBS

*Committee on Energy and Commerce:* Subcommittee on Health held a hearing entitled “PPACA’s Effects on Maintaining Health Coverage and Jobs: A Review of the Health Care Law’s Regulatory Burden.” Testimony was heard from Steve Larsen, Director, Center

for Consumer Information and Insurance Oversight, Centers for Medicare and Medicaid Services; and public witnesses.

#### MISCELLANEOUS MEASURES

*Committee on Financial Services:* Subcommittee on International Monetary Policy and Trade held a markup of H.R. 2072, Securing American Jobs Through Exports Act of 2011. The bill was forwarded, as amended.

#### RELIGIOUS FREEDOM, DEMOCRACY, HUMAN RIGHTS IN ASIA

*Committee on Foreign Affairs:* Full Committee held a hearing on Religious Freedom, Democracy, Human Rights in Asia: Status of Implementation of the Tibetan Policy Act, Block Burmese JADE Act, and North Korean Human Rights Act. Testimony was heard from Robert King, Ambassador, Special Envoy for North Korean Human Rights Issues; Daniel B. Baer, Deputy Assistant Secretary of State Democracy, Human Rights and Labor; Joseph Y. Yun, Deputy Assistant Secretary of State, East Asian and Pacific Affairs; and public witnesses.

#### EUROPEAN AND EURASIAN ENERGY

*Committee on Foreign Affairs:* Subcommittee on Europe and Eurasia held a hearing on European and Eurasian Energy: Developing Capabilities for Security and Prosperity. Testimony was heard from Richard L. Morningstar, Special Envoy for Eurasian Energy, Department of State; and public witnesses.

#### MISCELLANEOUS MEASURES

*Committee on Homeland Security:* Subcommittee on Border and Maritime Security held a markup of the following: H.R. 1299, the Secure Border Act of 2011; H.R. 1922, to provide U.S. Customs and Border Protection with access to Federal lands to carry out certain security activities in the Southwest border region, and for other purposes; and H.R. 915, the Jaime Zapata Border Enforcement Security Task Force Act. H.R. 915 and H.R. 1299 were forwarded, as amended. H.R. 1922 was forwarded without amendment.

#### AUTHORIZING THE TRANSPORTATION SECURITY ADMINISTRATION FOR FISCAL YEARS 2012 AND 2013

*Committee on Homeland Security:* Subcommittee on Transportation Security held a hearing entitled "Authorizing the Transportation Security Administration for Fiscal Years 2012 and 2013." Testimony was heard from John S. Pistole, Administration, Department of Homeland Security.

#### MISCELLANEOUS MEASURES

*Committee on the Judiciary:* Full Committee began markup of the following: H.J. Res. 1, Proposing a balanced budget amendment to the Constitution of the United States; H.R. 1741, the Secure Visas Act; H.R. 1932, the Keep Our Communities Safe Act of 2011; and H.R. 966, the Lawsuit Abuse Reduction Act of 2011.

#### LEGISLATIVE MEASURES

*Committee on Natural Resources:* Subcommittee on Water and Power held a hearing on H.R. 1837, to address certain water-related concerns on the San Joaquin River, and for other purposes. Testimony was heard from Michael L. Connor, Commissioner, Bureau of Reclamation; and public witnesses.

#### DOMESTIC OIL AND NATURAL GAS

*Committee on Natural Resources:* Subcommittee on Energy and Mineral Resources held a hearing entitled "Domestic Oil and Natural Gas: Alaskan Resources, Access and Infrastructure." Testimony was heard from Dan Sullivan, Commissioner, Alaska Department of Natural Resources; Cynthia Quarterman, Administrator, Pipeline and Hazardous Materials Safety Administration, Department of Transportation; and public witnesses.

#### MAKING THE GULF COAST WHOLE AGAIN

*Committee on Oversight and Government Reform:* Full Committee held a hearing entitled "Making the Gulf Coast Whole Again: Assessing the Recovery Efforts of BP and the Obama Administration After the Oil Spill." Testimony was heard from Michael Bromwich, Director, Bureau of Ocean Energy Management, Regulation, and Enforcement, Department of the Interior; Haley Barbour, Governor, Mississippi; Craig Taffaro, President, St. Bernard Parish, Louisiana; Bill Williams, Commissioner, Gulf County, Florida; and Frank Rusco, Director of Energy and Science Issues, GAO; and public witnesses.

#### IRS E-FILE AND IDENTITY THEFT

*Committee on Oversight and Government Reform:* Subcommittee on Government Organization, Efficiency, and Financial Management held a hearing entitled "IRS E-file and Identity Theft." Testimony was heard from Jim White, Director of Strategic Issues, GAO; Douglas Shulman, Commissioner of Internal Revenue, IRS; and public witnesses.

#### FDA MEDICAL DEVICE APPROVAL

*Committee on Oversight and Government Reform:* Subcommittee on Health Care, District of Columbia, Census and the National Archives held a hearing entitled "FDA Medical Device Approval: Is There a Better Way?" Testimony was heard from Jeffrey

Shuren, Director, Centers for Devices and Radiological Health, FDA; and public witnesses.

**DIRECTING THE PRESIDENT, PURSUANT TO SECTION 5(c) OF THE WAR POWERS RESOLUTION, TO REMOVE THE UNITED STATES ARMED FORCES FROM LIBYA AND DECLARING THAT THE PRESIDENT SHALL NOT DEPLOY, ESTABLISH, OR MAINTAIN THE PRESENCE OF UNITS AND MEMBERS OF THE UNITED STATES ARMED FORCES ON THE GROUND IN LIBYA, AND FOR OTHER PURPOSES**

*Committee on Rules:* Granted, by a record vote of 8 to 4, a closed rule for H.R. 292 providing one hour of debate, with 40 minutes equally divided and controlled by the chair and ranking minority member of the Committee on Foreign Affairs and 20 minutes equally divided and controlled by the chair and ranking minority member of the Committee on Armed Services. The rule waives all points of order against consideration of the resolution. The rule provides that the resolution shall be considered as read.

The rule also provides a closed rule for H. Con. Res. 51. The rule provides for one hour of debate on the resolution, with 30 minutes controlled by Representative Ros-Lehtinen of Florida or her designee and 30 minutes controlled by Representative Kucinich of Ohio or his designee. The rule waives all points of order against consideration of the resolution. Finally, the rule provides that the resolution shall be considered as read. Testimony was heard from Representatives Garrett and Kucinich.

**SOCIAL, BEHAVIORAL AND ECONOMIC SCIENCE RESEARCH**

*Committee on Science, Space, and Technology:* Subcommittee on Research and Science Education held a hearing on Social, Behavioral and Economic Science Research: Oversight of the Need for Federal Investments and Priorities for Funding. Testimony was heard from public witnesses.

**HEALTH IT BARRIERS FOR SMALL MEDICAL PRACTICES**

*Committee on Small Business:* Subcommittee on Healthcare and Technology held a hearing entitled "Not What the Doctor Ordered: Health IT Barriers for Small Medical Practices." Testimony was heard from Farzad Mostashari, M.D., National Coordinator for Health Information Technology, Department of Health and Human Services; Karen Trudel, Acting Director, Office of E-Health Standards and Services, Centers for Medicare and Medicaid Services; and public witnesses.

**TRANSITION ASSISTANCE PROGRAM AND VETSUCCESS ON CAMPUS PROGRAM**

*Committee on Veterans' Affairs:* Subcommittee on Economic Opportunity held a hearing on Transition Assistance Program and VetSuccess on Campus Program. Testimony was heard from Thomas J. Pamperin, Deputy Under Secretary for Disability Assistance, Veterans Benefits Administration, Department of Veterans Affairs; Philip A. Burdette, Principal Director, Office of Wounded Warrior Care and Transition Policy, Department of Defense; BGEN Robert F. Hedelund, Director, Marine and Family Programs, USMC, Department of Defense; and public witnesses.

**IMPROVE UNDERPERFORMING REGIONAL OFFICES**

*Committee on Veterans' Affairs:* Subcommittee on Disability Assistance and Memorial Affairs held a hearing on How to Improve Underperforming Regional Offices. Testimony was heard from Belinda J. Finn, Assistant Inspector General for Audits and Evaluations, Office of Inspector General, Department of Veterans Affairs; Diana M. Rubens, Deputy Under Secretary for Field Operations, Veterans Benefits Administration, Department of Veterans Affairs; and public witnesses.

**HOW BUSINESS TAX REFORM CAN ENCOURAGE JOB CREATION**

*Committee on Ways and Means:* Full Committee held a hearing on How Business Tax Reform Can Encourage Job Creation. Testimony was heard from public witnesses.

**ISRAEL/PALESTINIAN AUTHORITY UPDATE**

*House Permanent Select Committee on Intelligence:* Full Committee held a hearing entitled Israel/Palestinian Authority Update. This was a closed hearing.

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**COMMITTEE MEETINGS FOR FRIDAY, JUNE 3, 2011**

*(Committee meetings are open unless otherwise indicated)*

**Senate**

No meetings/hearings scheduled.

**House**

*Committee on Energy and Commerce,* Subcommittee on Oversight and Investigations, hearing entitled "The Views of the Administration on Regulatory Reform: An Update." 9:30 a.m., 2123 Rayburn.

Subcommittee on Energy and Power, hearing entitled "The American Energy Initiative," 9 a.m., 2322 Rayburn.

*Committee on Financial Services*, Full Committee, hearing entitled “Oversight of HUD’s HOME Program,” 1:30 p.m., 2128 Rayburn.

*Committee on Foreign Affairs*, Subcommittee on Africa, Global Health and Human Rights, hearing on Prioritizing International Religious Freedom in U.S. Foreign Policy, 9:30 a.m., 334 Cannon.

*Committee on Homeland Security*, Subcommittee on Oversight, Investigations, and Management, hearing entitled “Denying Safe Havens: Homeland Security’s Efforts to Counter Threats from Pakistan, Yemen and Somalia,” 10 a.m., 311 Cannon.

*Committee on the Judiciary*, Full Committee began continue of the following: H.J. Res. 1, Proposing a balanced budget amendment to the Constitution of the United States; H.R. 1741, the Secure Visas Act; H.R. 1932, the Keep Our Communities Safe Act of 2011; and H.R. 966,

the Lawsuit Abuse Reduction Act of 2011. 9:30 a.m., 2141 Rayburn.

*Committee on Natural Resources*, Subcommittee on Energy and Mineral Resources, hearing on: H.R. 2011, the National Strategic and Critical Minerals Policy Act; and H.R. 1314, the Resource Assessment of Rare Earths Act of 2011, 9:30 a.m., 1324 Longworth.

*Committee on Oversight and Government Reform*, Subcommittee on Technology, Information Policy, Intergovernmental Relations and Procurement Reform entitled “H.R. 735 and Project Labor Agreements: Restoring Competition and Neutrality to Government Construction Projects.” 9:30 a.m., 2154 Rayburn.

*Committee on Ways and Means*, Subcommittee on Social Security, hearing on the findings in the 2011 Annual Report of the Social Security Board of Trustees, 9 a.m., B-318 Rayburn.

Next Meeting of the SENATE

10:30 a.m., Friday, June 3

Next Meeting of the HOUSE OF REPRESENTATIVES

9 a.m., Friday, June 3

Program for Friday: Senate will meet in a pro forma session.

House Chamber

Program for Friday: Consideration of H. Res. 292—Declaring that the President shall not deploy, establish, or maintain the presence of units and members of the United States Armed Forces on the ground in Libya and H. Con. Res. 51—Directing the President, pursuant to section 5(c) of the War Powers Resolution, to remove the United States Armed Forces from Libya (Subject to a Rule).

### Extensions of Remarks, as inserted in this issue

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