# Daily Digest

#### **HIGHLIGHTS**

See Résumé of Congressional Activity.

Senate passed H.R. 2112, Departments of Agriculture, Commerce, Justice, Transportation, and Housing and Urban Development, and Related Programs Appropriations Act, as amended.

## Senate

### Chamber Action

Routine Proceedings, pages S6931-S7012

Measures Introduced: Nine bills and two resolutions were introduced, as follows: S. 1770–1778, S.J. Res. 29, and S. Res. 308. Page \$7005

#### Measures Passed:

Departments of Agriculture, Commerce, Justice, Transportation, and Housing and Urban Development, and Related Programs Appropriations Act: By 69 yeas to 30 nays (Vote No. 194), Senate passed H.R. 2112, making consolidated appropriations for the Departments of Agriculture, Commerce, Justice, Transportation, and Housing and Urban Development, and related programs for the fiscal year ending September 30, 2012, as amended, after taking action on the following amendments proposed thereto:

Pages S6932-80

Adopted:

Durbin Amendment No. 921 (to the title of the bill), to amend the title.

Page S6979

Rejected:

By 13 yeas to 85 nays (Vote No. 189), Coburn Amendment No. 800 (to Amendment No. 738), to reduce funding for the Rural Development Agency.

Pages S6932-33

By 38 yeas to 60 nays (Vote No. 190), Paul Amendment No. 821 (to Amendment No. 738), to reallocate 10 percent of the amounts appropriated for capital investments in surface transportation infrastructure from transportation enhancement activities to the highway bridge program. (Pursuant to the order of Thursday, October 20, 2011, the amendment having failed to achieve 60 affirmative votes, was not agreed to.)

Pages \$6933-34

By 44 yeas to 54 nays (Vote No. 191), Blunt (for DeMint) Amendment No 763 (to Amendment No.

738), to prohibit the use of funds to implement regulations regarding the removal of essential-use designation for epinephrine used in oral pressurized metered-dose inhalers.

Page S6934

By 41 yeas to 57 nays (Vote No. 192), Coburn Amendment No. 801 (to Amendment No. 738), to eliminate funding for the Small Community Air Service Development Program.

Page S6936

By 39 yeas to 60 nays (Vote No. 193), Lee Motion to recommit the bill to the Committee on Appropriations with instructions to report the same back to the Senate with reductions in spending in each division required to bring the overall spending for the division to fiscal year 2011 levels which shall not exceed \$130,559,669,000 for division A (Ag), \$58,786,478,000 for division B (CJS), and \$55,368,096,000 for division C (THUD).

Pages S6936-37

Withdrawn:

Crapo Amendment No. 814 (to Amendment No. 738), to provide for the orderly implementation of the provisions of title VII of the Dodd-Frank Wall Street Reform and Consumer Protection Act.

Pages S6934-36

Coburn Amendment No. 794 (to Amendment No. 738), to provide taxpayers with an annual report disclosing the cost of, performance by, and areas for improvements for Government programs. Page S6937

Coburn Amendment No. 795 (to Amendment No. 738), to collect more than \$500,000,000 from developers for failed, botched, and abandoned projects.

Page S6937

Coburn Amendment No. 797 (to Amendment No. 738), to delay or cancel new construction, purchasing, leasing, and renovation of Federal buildings and office space.

Page S6937

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Coburn Amendment No. 799 (to Amendment No. 738), to prohibit the use of funds to carry out the Rural Energy for America Program. Page S6937

Coburn Amendment No. 833 (to Amendment No. 738), to end the outdated direct payment program and to begin restoring the farm safety net as a true risk management tool.

Page S6937

During consideration of this measure today, Senate also took the following action:

Chair sustained a point of order that Blunt (for DeMint) Amendment No 764 (to Amendment No. 738), to eliminate a certain increase in funding, was not germane, and the amendment thus fell.

Page S6937

Subsequently the motion to invoke cloture on the bill was rendered moot.

*Drive Safer Sunday:* Senate agreed to S. Res. 308, designating November 27, 2011, as "Drive Safer Sunday". Page \$7010

#### Measures Considered:

**Rebuild America Jobs Act—Cloture:** Senate began consideration of the motion to proceed to consideration of S. 1769, to put workers back on the job while rebuilding and modernizing America.

Pages S7009-10

A motion was entered to close further debate on the motion to proceed to consideration of the bill, and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, a vote on cloture will occur on Thursday, November 3, 2011.

Pages S7009-10

A unanimous-consent agreement was reached providing for further consideration of the motion to proceed to consideration of the bill at approximately 10:30 a.m., on Wednesday, November 2, 2011.

Page S7010

Message from the President: Senate received the following message from the President of the United States:

Transmitting, pursuant to law, a report relative to the continuation of the national emergency relative to the actions and policies of the Government of Sudan as declared in Executive Order 13067 of November 3, 1997; which was referred to the Committee on Banking, Housing, and Urban Affairs. (PM–31)

Page \$7003

Nominations Confirmed: Senate confirmed the following nominations:

Patricia M. Loui, of Hawaii, to be a Member of the Board of Directors of the Export-Import Bank of the United States for a term expiring January 20, 2015.

Larry W. Walther, of Arkansas, to be a Member of the Board of Directors of the Export-Import Bank

of the United States for a term expiring January 20, 2013. Pages \$7010, \$7012

Nominations Received: Senate received the following nominations:

Thomas Hoenig, of Missouri, to be a Member of the Board of Directors of the Federal Deposit Insurance Corporation for a term of six years.

Rebecca M. Blank, of Maryland, to be Deputy Secretary of Commerce.

Ajit Varadaraj Pai, of Kansas, to be a Member of the Federal Communications Commission for a term of five years from July 1, 2011.

Jessica Rosenworcel, of Connecticut, to be a Member of the Federal Communications Commission for a term of five years from July 1, 2010.

Larry Leon Palmer, of Georgia, to be Ambassador to Barbados, and to serve concurrently and without additional compensation as Ambassador to St. Kitts and Nevis, Saint Lucia, Antigua and Barbuda, the Commonwealth of Dominica, Grenada, and Saint Vincent and the Grenadines.

Coral Wong Pietsch, of Hawaii, to be a Judge of the United States Court of Appeals for Veterans Claims for the term of fifteen years.

Michael A. Sheehan, of New Jersey, to be an Assistant Secretary of Defense.

Routine lists in the Air Force, Army, and Navy.

Pages \$7010-11

Nomination Withdrawn: Senate received notification of withdrawal of the following nomination:

Thomas Hoenig, of Missouri, to be a Member of the Board of Directors of the Federal Deposit Insurance Corporation for a term expiring December 12, 2015, which was sent to the Senate on October 20, 2011.

Page \$7012

Measures Placed on the Calendar:

Pages S6931, S7003

Executive Communications: Pages \$7003-05
Additional Cosponsors: Pages \$7005-07

Statements on Introduced Bills/Resolutions:

Pages S7007-09

Additional Statements: Pages \$7000-03
Amendments Submitted: Page \$7009

Notices of Hearings/Meetings: Page \$7009

Authorities for Committees to Meet: Page S7009

Record Votes: Six record votes were taken today. (Total—194) Pages S6933-34, S6936-37

Adjournment: Senate convened at 10 a.m. and adjourned at 6:57 p.m., until 9:30 a.m. on Wednesday, November 2, 2011. (For Senate's program, see the remarks of the Majority Leader in today's Record on page \$7010.)

## Committee Meetings

(Committees not listed did not meet)

#### CHINA'S ROLE IN AFRICA

Committee on Foreign Relations: Subcommittee on African Affairs concluded a hearing to examine China's role in Africa, focusing on implications for United States policy, after receiving testimony from David H. Shinn, George Washington University Elliott School of International Affairs, Deborah Brautigam, American University School of International Service, and Stephen Hayes, Corporate Council on Africa, all of Washington, D.C.

## COMBATING INTERNATIONAL ORGANIZED CRIME

Committee on the Judiciary: Subcommittee on Crime and Terrorism concluded a hearing to examine combating international organized crime, focusing on evaluating current authorities, tools, and resources, after receiving testimony from Lanny A. Breuer, Assistant Attorney General, Criminal Division, Department of Justice; Daniel L. Glaser, Assistant Secretary of the Treasury for Terrorist Financing; and Kumar C. Kibble, Deputy Director, U.S. Immigration and Customs Enforcement, Department of Homeland Security.

## House of Representatives

## Chamber Action

**Public Bills and Resolutions Introduced:** 20 public bills, H.R. 3286–3305 and 3 resolutions, H. Res. 450–452 were introduced. **Pages H7206–07** 

Additional Cosponsors: Pages H7208-09

Reports Filed: There were no reports filed today.

**Speaker:** Read a letter from the Speaker wherein he appointed Representative Campbell to act as Speaker pro tempore for today.

Page H7167

**Recess:** The House recessed at 12:02 p.m. and reconvened at 2 p.m. Page H7167

**Recess:** The House recessed at 2:12 p.m. and reconvened at 4:48 p.m. Pages H7168-69

**Suspensions:** The House agreed to suspend the rules and pass the following measures:

Reaffirming "In God We Trust" as the official motto of the United States: H. Con. Res. 13, to reaffirm "In God We Trust" as the official motto of the United States and to support and encourage the public display of the national motto in all public buildings, public schools, and other government institutions, by a <sup>2</sup>/<sub>3</sub> yea-and-nay vote of 396 yeas to 9 nays with 2 voting "present", Roll No. 816;

Pages H7169-75, H7186

Wireless Tax Fairness Act of 2011: H.R. 1002, amended, to restrict any State or local jurisdiction from imposing a new discriminatory tax on cell phone services, providers, or property; and

Pages H7175-77

Kate Puzey Peace Corps Volunteer Protection Act of 2011: S. 1280, to amend the Peace Corps Act

to require sexual assault risk-reduction and response training, the development of sexual assault protocol and guidelines, the establishment of victims advocates, and the establishment of a Sexual Assault Advisory Council, by a <sup>2</sup>/<sub>3</sub> yea-and-nay vote of 406 yeas with none voting "nay", Roll No. 817.

Pages H7178-85, H7186-87

Directing the Secretary of the Senate to make a correction in the enrollment of S. 1280: The House agreed to S. Con. Res. 31, to direct the Secretary of the Senate to make a correction in the enrollment of S. 1280.

Page H7185

**Recess:** The House recessed at 6:06 p.m. and reconvened at 6:30 p.m. **Pages H7168-69** 

Presidential Message: Read a message from the President wherein he notified Congress that the national emergency declared with respect to Sudan is to continue in effect beyond November 3, 2011—referred to the Committee on Foreign Affairs and ordered to be printed (H. Doc. 112–69). Page H7168

Senate Message: Message received from the Senate by the Clerk and subsequently presented to the House today appears on page H7168.

Senate Referrals: S. 1637 was held at the desk.

Quorum Calls—Votes: Two yea-and-nay votes developed during the proceedings of today and appear on pages H7186, H7187. There were no quorum calls.

Adjournment: The House met at 12 noon and adjourned at 9:45 p.m.

# Committee Meetings DEPARTMENT OF DEFENSE

Committee on Armed Services: Panel on Business Challenges within the Defense Industry held a hearing entitled "The Defense Industrial Base: The Role of the Department of Defense." Testimony was heard from Brett Lambert, Deputy Assistant Secretary of Defense for Manufacturing and Industrial Base Policy, Department of Defense; and Andre Gudger, Director, Office of Small Business Programs, Department of Defense.

## UTILITY MACT'S IMPACT ON JOB CREATION

Committee on Oversight and Government Reform: Full Committee held a hearing entitled "Lights Out II: Should EPA Take a Step Back to Fully Consider Utility MACT's Impact on Job Creation?" Testimony was heard from Kenneth Cuccinelli, II, Attorney General, Virginia; Robert Perciasepe, Deputy Administrator, Environmental Protection Agency; and public witnesses.

# Joint Meetings OVERVIEW OF PREVIOUS DEBT PROPOSALS

Joint Select Committee on Deficit Reduction: Committee concluded a hearing to examine an overview of previous debt proposals, after receiving testimony from former Senator Alan Simpson, the National Commission on Fiscal Responsibility and Reform, Denver, Colorado; and former Senator Pete V. Domenici, and Alice Rivlin, both of the Bipartisan Policy Center Debt Reduction Task Force, and Erskine Bowles, the National Commission on Fiscal Responsibility and Reform, all of Washington, D.C.

#### COMMITTEE MEETINGS FOR WEDNESDAY, NOVEMBER 2, 2011

(Committee meetings are open unless otherwise indicated)

#### Senate

Committee on Commerce, Science, and Transportation: business meeting to consider S. 1119, to reauthorize and improve the Marine Debris Research, Prevention, and Reduction Act, S. 1207, to protect consumers by requiring reasonable security policies and procedures to protect data containing personal information, and to provide for nationwide notice in the event of a security breach, S. 1307, to authorize the Secretary of Commerce to convey real property, including improvements, of the National Oceanic and Atmospheric Administration in Ketchikan, Alaska, S. 1401, to conserve wild Pacific salmon, S. 1430, to authorize certain maritime programs of the Department

of Transportation, S. 1657, to amend the provisions of law relating to sport fish restoration and recreational boating safety, S. 1665, to authorize appropriations for the Coast Guard for fiscal years 2012 and 2013, S. 1701, to amend the Harmful Algal Blooms and Hypoxia Research and Control Act of 1998, S. 1717, to prevent the escapement of genetically altered salmon in the United States, S. 1759, to facilitate the hosting in the United States of the 34th America's Cup by authorizing certain eligible vessels to participate in activities related to the competition, and the nominations of Michael A. Khouri, of Kentucky, to be a Federal Maritime Commissioner, Albert DiClemente, of Delaware, to be a Director of the Amtrak Board of Directors, David J. McMillan, of Minnesota, and Wenona Singel, of Michigan, both to be a Member of the Advisory Board of the Saint Lawrence Seaway Development Corporation, Robert L. Sumwalt III, of South Carolina, to be a Member of the National Transportation Safety Board, and a promotion list in the U.S. Coast Guard, 2:30 p.m., SR-253.

Committee on Foreign Relations: Subcommittee on European Affairs, to hold hearings to examine the European debt crisis, focusing on strategic implications for the transatlantic alliance, 9:30 a.m., SD–419.

Subcommittee on Near Eastern and South and Central Asian Affairs, with the Subcommittee on International Operations and Organizations, Human Rights, Democracy and Global Women's Issues, to hold joint hearings to examine women and the Arab Spring, 2:30 p.m., SD–419.

Committee on Homeland Security and Governmental Affairs: to hold hearings to examine ten years after 9/11, focusing on the next wave in aviation security, 9:30 a.m., SD-342.

Committee on the Judiciary: to hold hearings to examine the nominations of Jacqueline H. Nguyen, of California, to be United States Circuit Judge for the Ninth Circuit, Gregg Jeffrey Costa, to be United States District Judge for the Southern District of Texas, and David Campos Guaderrama, to be United States District Judge for the Western District of Texas, 10 a.m., SD–226.

Special Committee on Aging: to hold hearings to examine ensuring quality and oversight in assisted living, 2 p.m., SD-G50.

#### House

Committee on Armed Services, Full Committee, hearing entitled "The Future of the Military Services and Consequences of Defense Sequestration" 10 a.m., 2118 Rayburn.

Subcommittee on Tactical Air and Land Forces, hearing on Fiscal Year 2012 Combat Aviation Programs Update, 2 p.m., 2118 Rayburn.

Subcommittee on Strategic Forces, hearing on The Current Status and Future Direction for U.S. Nuclear Weapons Policy and Posture, 3:30 p.m., 2212 Rayburn.

Committee on Energy and Commerce, Subcommittee on Health, hearing entitled "Do New Health Law Mandates Threaten Conscience Rights and Access to Care?" 10 a.m., 2123 Rayburn.

Committee on Financial Services, Subcommittee on Financial Institutions and Consumer Credit, hearing entitled

"The Obama Administration's Rental Assistance Demonstration Proposal." Noon, 2128 Rayburn.

Subcommittee on Insurance, Housing and Community Opportunity; and the Subcommittee on Oversight and Investigations, joint hearing entitled "Fraud in the HUD HOME Program." 2 p.m., 2128 Rayburn.

Committee on Foreign Affairs, Subcommittee on Africa, Global Health, and Human Rights, hearing entitled "U.S. Policy Towards Zimbabwe." 3 p.m., 2200 Rayburn

Full Committee, markup of the following: H.R. 1905, to strengthen Iran sanctions laws for the purpose of compelling Iran to abandon its pursuit of nuclear weapons and other threatening activities, and for other purposes; and H.R. 2105, to provide for the application of measures to foreign persons who transfer to Iran, North Korea, and Syria certain goods, services, or technology, and for other purposes. 10 a.m., 2172 Rayburn.

Subcommittee on Oversight and Investigations, hearing entitled "Efforts to Transfer America's Leading Edge Science to China." 3 p.m., 2172 Rayburn.

Committee on the Judiciary, Subcommittee on Crime, Terrorism, and Homeland Security, hearing entitled "The U.S. Department of Justice Office of Justice Programs." 10 a.m., 2141 Rayburn.

Subcommittee on Immigration Policy and Enforcement, hearing on H.R. 2121, the "China Democracy Promotion Act of 2011." 3:30 p.m., 2141 Rayburn.

Subcommittee on Immigration Policy and Enforcement, meeting to consider authorizing the Chairman to issue a subpoena to the Department of Homeland Security, 1 p.m., 2141 Rayburn.

Full Committee, begin markup of the following: H.R. 1254, the "Synthetic Drug Control Act of 2011"; and, H.R. 2369, to amend title 36, United States Code, to provide for an additional power for the American Legion under its Federal charter. 1 p.m., 214 Rayburn. Markup will continue on November 3, 10 a.m., 2141 Rayburn.

Committee on Natural Resources, Full Committee, hearing entitled "BOEMRE/U.S. Coast Guard Joint Investigation Team Report." 2 p.m., 1324 Longworth.

Subcommittee on Energy and Mineral Resources, hearing entitled "North American Offshore Energy: Mexico

and Canada Boundary Treaties and New Drilling by Cuba and Bahamas." 2 p.m., 1324 Longworth.

Committee on Oversight and Government Reform, Subcommittee on Technology, Information Policy, Intergovernmental Relations and Procurement Reform, hearing entitled "Are Government Contractors Exploiting Workers Overseas? Examining Enforcement of the Trafficking Victims Protection Act." 10 a.m., 2247 Rayburn.

Subcommittee on Regulatory Affairs, Stimulus Oversight and Government Spending, hearing entitled "The Green Energy Debacle: Where Has All the Taxpayer Money Gone?" 10 a.m., 2154 Rayburn.

Subcommittee on TARP, Financial Services and Bailouts of Public and Private Programs, hearing entitled "America's Innovation Challenge: What Obstacles do Entrepreneurs Face?" 10:30 a.m., 2203 Rayburn.

Committee on Rules, Full Committee, hearing on H.R. 2940, the "Access to Capital for Job Creators Act"; and H.R. 2930, the "Entrepreneur Access to Capital Act." 3 p.m., H–313 Capitol.

Committee on Science, Space, and Technology, Subcommittee on Technology and Innovation, hearing entitled "Creating and Growing New Businesses: Fostering U.S. Innovation." 10 a.m., 2318 Rayburn.

Subcommittee on Energy and Environment, hearing entitled "Conflicts and Unintended Consequences of Motor Fuel Standards." 2 p.m., 2318 Rayburn.

Committee on Transportation and Infrastructure, Sub-committee on Coast Guard and Maritime Transportation, hearing entitled "Assuring the Safety of Domestic Energy Production: Lessons Learned from the Deepwater Horizon Oil Spill." 10 a.m., 2167 Rayburn.

#### Joint Meetings

Commission on Security and Cooperation in Europe: to hold hearings to examine human trafficking and Transnational Organized Crime, focusing on assessing trends and combat strategies, including the evolving nature of Transnational Organized Crime, the role of major international organized crime groups and smaller organized criminal syndicates in human trafficking, identified trends, and strategies to combat these organizations and prevent the trafficking of human beings, 10 a.m., B318, Rayburn Building.

## Résumé of Congressional Activity

#### FIRST SESSION OF THE ONE HUNDRED TWELFTH CONGRESS

The first table gives a comprehensive résumé of all legislative business transacted by the Senate and House. The second table accounts for all nominations submitted to the Senate by the President for Senate confirmation.

#### DATA ON LEGISLATIVE ACTIVITY

# DISPOSITION OF EXECUTIVE NOMINATIONS January 5 through October 31, 2011

January 5 through October 31, 2011

, ,	Senate	House	Total	Civilian nominations, totaling 450, disposed of as follows:	
Days in session	138	110 <i>u</i> se	1 01a1		
Time in session	902 hrs., 31'	824 hrs., 46'		Confirmed	
Congressional Record:	902 ms., 91	024 ms., 40	• •	Unconfirmed	192
Pages of proceedings	\$6,929	H7,166		Withdrawn	12
Extensions of Remarks	30,929	E1,966			
Public bills enacted into law	12	32	44	Other Civilian anniquing and in 2.150 linearly of a filling	
Private bills enacted into law		-		Other Civilian nominations, totaling 3,150, disposed of as follows:	
Bills in conference	2	2	••	Confirmed	2,210
Measures passed, total	315	290	605	Unconfirmed	935
Senate bills	39	10		Withdrawn	5
House bills	59 41	136	• •		
			• •		
Senate joint resolutions	4	3	• •	Air Force nominations, totaling 5,481, disposed of as follows:	
House joint resolutions	3	5	• •	Confirmed	1,703
Senate concurrent resolutions	17	5	• •	Unconfirmed	3,778
House concurrent resolutions	14	18	• •		
Simple resolutions	197	113	• •		
Measures reported, total	154	* 235	* 389	Army nominations, totaling 5,280, disposed of as follows:	
Senate bills	110	2		Confirmed	5,052
House bills	16	156		Unconfirmed	- ,
Senate joint resolutions	1			Chechinined	220
House joint resolutions		3			
Senate concurrent resolutions	2			Navy nominations, totaling 3,356, disposed of as follows:	
House concurrent resolutions		2		Confirmed	2 2 2 5
Simple resolutions	25	72			- /-
Special reports	14	29		Unconfirmed	31
Conference reports					
Measures pending on calendar	154	65		Marine Corps nominations, totaling 1,249, disposed of as follows:	
Measures introduced, total	2,135	3,899	6,034		
Bills	1,769	3,285		Confirmed	1,249
Joint resolutions	28	82			
Concurrent resolutions	32	83		Summary	
Simple resolutions	306	449		Total nominations carried over from the First Session	0
Quorum calls	5	3		Total nominations received this Session	18,966
Yea-and-nay votes	188	218		Total confirmed	
Recorded votes		593**		Total unconfirmed	- /
Bills vetoed				Total withdrawn	
Vetoes overridden				Total returned to the White House	
					· ·

<sup>\*</sup>These figures include all measures reported, even if there was no accompanying report. A total of 90 written reports have been filed in the Senate, 264 reports have been filed in the House.

<sup>\*\*</sup> Proceedings on Roll Call No. 484 were vacated by unanimous consent.

#### Next Meeting of the SENATE 9:30 a.m., Wednesday, November 2

#### Next Meeting of the HOUSE OF REPRESENTATIVES 10 a.m., Wednesday, November 2

#### Senate Chamber

Program for Wednesday: After the transaction of any morning business (not to extend beyond one hour), Senate will continue consideration of the motion to proceed to consideration of S. 1769, Rebuild America Jobs Act.

#### House Chamber

Program for Wednesday: Consideration of the following suspensions: (1) H.R. 2061—Civilian Service Recognition Act of 2011, as amended: (2) H.R. 1070—Small Company Capital Formation Act of 2011; (3) H.R. 1965— To amend the securities laws to establish certain thresholds for shareholder registration, and for other purposes; and (4) S. 894—The Veterans' Compensation Cost-of-Living Adjustment Act of 2011.

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

#### HOUSE

Baca, Joe, Calif., E1974 Braley, Bruce L., Iowa, E1969, E1970 Cardoza, Dennis A., Calif., E1968 Carnahan, Russ, Mo., E1974 Coffman, Mike, Colo., E1967, E1972 Costello, Jerry F., Ill., E1968 Davis, Danny K., Ill., E1970

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