

# Daily Digest

## Senate

### Chamber Action

*Routine Proceedings, pages S4793–S4833*

**Measures Introduced:** Five bills were introduced, as follows: S. 3365–3369. **Page S4821**

#### Measures Reported:

H.R. 1791, to designate the United States courthouse under construction at 101 South United States Route 1 in Fort Pierce, Florida, as the “Alto Lee Adams, Sr., United States Courthouse”.

S. 3304, to redesignate the Environmental Protection Agency Headquarters located at 1200 Pennsylvania Avenue N.W. in Washington, D.C., as the “William Jefferson Clinton Federal Building”, to redesignate the Federal building and United States Courthouse located at 200 East Wall Street in Midland, Texas, as the “George H. W. Bush and George W. Bush United States Courthouse and George Mahon Federal Building”, and to designate the Federal building housing the Bureau of Alcohol, Tobacco, Firearms, and Explosives Headquarters located at 99 New York Avenue N.E., Washington D.C., as the “Eliot Ness ATF Building”.

S. 3311, to designate the United States courthouse located at 2601 2nd Avenue North, Billings, Montana, as the “James F. Battin United States Courthouse”.

**Page S4821**

#### Measures Passed:

**World Malaria Day:** Senate agreed to S. Res. 429, supporting the goals and ideals of World Malaria Day, after agreeing to the following amendment proposed thereto:

**Pages S4832–33**

Brown (OH) (for Wicker) Amendment No. 2507, of a perfecting nature.

**Page S4833**

#### Measures Considered:

**Small Business Jobs and Tax Relief Act—Agreement:** Senate continued consideration of the motion to proceed to consideration of S. 2237, to provide a temporary income tax credit for increased payroll and extend bonus depreciation for an additional year.

**Pages S4793–S4800, S4804–15**

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

By 80 yeas to 14 nays (Vote No. 174), three-fifths of those Senators duly chosen and sworn, having voted in the affirmative, Senate agreed to the motion to close further debate on the motion to proceed to consideration of the bill.

**Page S4804**

A unanimous-consent agreement was reached providing that all time during morning business, adjournment and recess count post-cloture on the motion to proceed to the bill.

**Page S4833**

**Agriculture Reform, Food, and Jobs Act Printing—Agreement:** A unanimous-consent agreement was reached providing that S. 3240, to reauthorize agricultural programs through 2017, be printed as passed.

**Page S4833**

**Nomination Confirmed:** Senate confirmed the following nomination:

By 94 yeas to 2 nays (Vote No. EX. 173), John Thomas Fowlkes, Jr., of Tennessee, to be United States District Judge for the Western District of Tennessee.

**Pages S4800–04, S4833**

**Messages from the House:** **Page S4821**

**Measures Referred:** **Page S4821**

**Measures Placed on the Calendar:** **Page S4821**

**Measures Read the First Time:** **Page S4821**

**Additional Cosponsors:** **Pages S4821–23**

**Statements on Introduced Bills/Resolutions:** **Pages S4823–25**

**Additional Statements:** **Pages S4818–21**

**Amendments Submitted:** **Pages S4825–31**

**Notices of Hearings/Meetings:** **Page S4831**

**Authorities for Committees to Meet:** **Page S4831**

**Privileges of the Floor:** **Page S4831**

**Text of S. 1379 as Previously Passed:** **Pages S4831–32**

**Record Votes:** Two record votes were taken today. (Total—174) **Pages S4803–04, S4804**

**Adjournment:** Senate convened at 10 a.m. and adjourned at 6:34 p.m., until 9:30 a.m. on Wednesday, July 11, 2012. (For Senate’s program, see the

remarks of the Acting Majority Leader in today's Record on page S4833.)

## Committee Meetings

(Committees not listed did not meet)

### ONGOING COUNTERTERRORISM OPERATIONS

*Committee on Armed Services:* Committee received a closed briefing on ongoing counterterrorism operations, after receiving testimony from Michael G. Vickers, Under Secretary for Intelligence, Michael A. Sheehan, Assistant Secretary for Special Operations and Low-Intensity Conflict, Jeh C. Johnson, General Counsel, Brigadier General Michael K. Nagata, USA, Deputy Director for Special Operations, J-37, Joint Staff, and Colonel Robert P. Walters, Jr., USA, Director of Intelligence, J-2, Joint Special Operations Command, all of the Department of Defense.

### SAFE AND EFFICIENT MOBILE PAYMENTS

*Committee on Banking, Housing, and Urban Affairs:* Committee concluded a hearing to examine developing the framework for safe and efficient mobile payments, after receiving testimony from Michael L.

Katz, University of California Berkeley, and Thomas P. Brown, University of California Berkeley Law School, both of San Francisco; and Sarah Jane Hughes, Indiana University Maurer School of Law, Bloomington.

### TAX REFORM

*Committee on Finance:* Committee concluded a hearing to examine boosting opportunities and growth through tax reform, focusing on helping more young people achieve the American dream, after receiving testimony from Katherine S. Newman, Johns Hopkins University, Baltimore, Maryland; Miles Corak, University of Ottawa Graduate School of Public and International Affairs, Ottawa, Canada; Lars Lefgren, Brigham Young University, Salt Lake City, Utah; and Erin Currier, The Pew Charitable Trusts, and C. Eugene Steuerle, Urban Institute, both of Washington, D.C.

### INTELLIGENCE

*Select Committee on Intelligence:* Committee held closed hearings on intelligence matters, receiving testimony from officials of the intelligence community.

Committee recessed subject to the call.

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# House of Representatives

## Chamber Action

**Public Bills and Resolutions Introduced:** 7 public bills, H.R. 6090, 6092–6097; and 1 resolution, H. Res. 727, were introduced. **Pages H4774–75**

**Additional Cosponsors:** **Pages H4775–76**

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

In the matter of allegations relating to Representative Vernon G. Buchanan (H. Rept. 112–588);

H.R. 6091, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2013, and for other purposes (H. Rept. 112–589);

H. Res. 726, providing for consideration of the bill (H.R. 4402) to require the Secretary of the Interior and the Secretary of Agriculture to more efficiently develop domestic sources of the minerals and mineral materials of strategic and critical importance to United States economic and national security and manufacturing competitiveness (H. Rept. 112–590); and

H.R. 5859, to repeal an obsolete provision in title 49, United States Code, requiring motor vehicle in-

surance cost reporting, with an amendment (H. Rept. 112–591). **Page H4774**

**Speaker:** Read a letter from the Speaker wherein he appointed Representative Palazzo to act as Speaker pro tempore for today. **Page H4687**

**Recess:** The House recessed at 11:29 a.m. and reconvened at 12 noon. **Pages H4696, H4706**

**Chaplain:** The prayer was offered by the guest chaplain, Rabbi Joel Levenson, Congregation B'nai Jacob, Woodbridge, CT. **Page H4706**

**Journal:** The House agreed to the Speaker's approval of the Journal by a yea-and-nay vote of 312 yeas to 105 nays with 3 answering "present", Roll No. 458. **Pages H4706, H4724–25**

**Reception in the House Chamber of Former Members of Congress:** Agreed by unanimous consent that the proceedings had during the former Members program held earlier in the day be printed in the Congressional Record and that all Members and former Members who spoke during the proceedings have the privilege of revising and extending their remarks. **Page H4696**

**Motion to Adjourn:** Rejected the Ellison motion to adjourn by a yea-and-nay vote of 75 yeas to 318 nays with 1 answering “present”, Roll No. 455.

**Pages H4710–11**

**Repeal of ObamaCare Act:** The House began consideration of H.R. 6079, to repeal the Patient Protection and Affordable Care Act and health care-related provisions in the Health Care and Education Reconciliation Act of 2010. Further proceedings were postponed.

**Pages H4725–66**

H. Res. 724, the rule providing for consideration of the bill, was agreed to by a yea-and-nay vote of 240 yeas to 182 nays, Roll No. 457, after the previous question was ordered by a yea-and-nay vote of 238 yeas to 184 nays, Roll No. 456. **Pages H4711–24**

**Senate Message:** Message received from the Senate today appears on page H4707.

**Senate Referral:** S. 1379 was referred to the Committee on Oversight and Government Reform.

**Page H4772**

**Quorum Calls—Votes:** Four yea-and-nay votes developed during the proceedings of today and appear on pages H4710–11, H4723, H4723–24, and H4724–25. There were no quorum calls.

**Adjournment:** The House met at 10 a.m. and adjourned at 10:27 p.m.

## *Committee Meetings*

### **AFGHAN NATIONAL MILITARY HOSPITAL**

*Committee on Armed Services:* Subcommittee on Oversight and Investigations held a hearing entitled “Afghan National Military Hospital”. Testimony was heard from David S. Sedney, Deputy Assistant Secretary of Defense for Afghanistan, Pakistan and Central Asia, Department of Defense; and Kenneth Moorefield Deputy Inspector General for Special Plans and Operations, Department of Defense.

### **AMERICAN ENERGY INITIATIVE**

*Committee on Energy and Commerce:* Subcommittee on Energy and Power held a hearing entitled “The American Energy Initiative”. Testimony was heard from public witnesses.

### **OVERSIGHT OF THE FEDERAL COMMUNICATIONS COMMISSION**

*Committee on Energy and Commerce:* Subcommittee on Communications and Technology held a hearing entitled “Oversight of the Federal Communications Commission”. Testimony was heard from the following FCC officials: Julius Genachowski, Chairman; Robert M. McDowell, Commissioner; Mignon Clyburn, Commissioner; Jessica Rosenworcel, Commissioner; and Ajit Pai, Commissioner.

### **IMPACT OF DODD-FRANK ON CUSTOMERS, CREDIT, AND JOB CREATORS**

*Committee on Financial Services:* Subcommittee on Capital Markets and Government Sponsored Enterprises held a hearing entitled “The Impact of Dodd-Frank on Customers, Credit, and Job Creators”. Testimony was heard public witnesses.

### **U.S. POLICY TOWARD NIGERIA: WEST AFRICA’S TROUBLED TITAN**

*Committee on Foreign Affairs:* Subcommittee on Africa, Global Health, and Human Rights held a hearing entitled “U.S. Policy Toward Nigeria: West Africa’s Troubled Titan”. Testimony was heard from Johnnie Carson, Assistant Secretary of State, Bureau of African Affairs, Department of State; Earl Gast, Assistant Administrator, Bureau for Africa, Agency for International Development; and public witnesses.

### **CHRONIC KLEPTOCRACY: CORRUPTION WITHIN THE PALESTINIAN POLITICAL ESTABLISHMENT**

*Committee on Foreign Affairs:* Subcommittee on the Middle East and South Asia held a hearing entitled “Chronic Kleptocracy: Corruption within the Palestinian Political Establishment”. Testimony was heard from Jim Zanotti, Specialist in Middle Eastern Affairs, Congressional Research Service; and public witnesses.

### **BUILDING A SECURE COMMUNITY: HOW DHS BETTER LEVERAGE STATE AND LOCAL PARTNERSHIPS**

*Committee on Homeland Security:* Subcommittee on Border and Maritime Security held a hearing entitled “Building a Secure Community: How Can DHS Better Leverage State and Local Partnerships?”. Testimony was heard from John Morton, Director, Immigration and Customs Enforcement, Department of Homeland Security.

### **CHALLENGING THE STATUS QUO AT TSA: PERSPECTIVES ON THE FUTURE OF TRANSPORTATION SECURITY**

*Committee on Homeland Security:* Subcommittee on Transportation Security held a hearing entitled “Challenging the Status Quo at TSA: Perspectives on the Future of Transportation Security”. Testimony was heard from public witnesses.

### **MISCELLANEOUS MEASURE**

*Committee on the Judiciary:* Full Committee began a markup but did not complete action on the following measures: H.R. 3796, the “Adam Walsh Reauthorization Act of 2012”; H.R. 4362, the “Stopping Tax Offenders and Prosecuting Identity Theft Act of 2012”; H.R. 6063, to amend title 18, United

States Code, with respect to child pornography and child exploitation offenses; H.R. 6029, to amend title 18, United States Code, to provide for increased penalties for foreign and economic espionage, and for other purposes; the “Intellectual Property Attaché Act”; H.R. 6062, to reauthorize the Edward Byrne Memorial Justice Assistance Grant Program through fiscal year 2017; H.R. 1950, to enact title 54, United States Code, “National Park System”, as positive law; to make improvements in the enactment of title 41, United States Code, into a positive law title and to improve the Code; and H.R. 3803, the “District of Columbia Pain-Capable Unborn Child Protection Act”. The following measure was ordered reported, as amended: H.R. 1950. The following measures were ordered reported, without amendment: H.R. 6080; H.R. 6029; H.R. 6063; and H.R. 4362.

#### **DODD-FRANK ACT’S EFFECTS ON FINANCIAL SERVICES COMPETITION**

*Committee on the Judiciary:* Subcommittee on Intellectual Property, Competition and the Internet held a hearing entitled “The Dodd-Frank Act’s Effects on Financial Services Competition”. Testimony was heard from public witnesses.

#### **LEGISLATIVE MEASURE**

*Committee on Natural Resources:* Water and Power Subcommittee held a hearing on H.R. 6060, the “Endangered Fish Recovery Programs Extension Act of 2012”. Testimony was heard Kevin Garlick, Executive Director, Provo City Power Department, Provo, Utah; Gray Payne, Deputy Commissioner, Policy, Administration and Budget, Bureau of Reclamation; John Shields, Interstate Streams Engineer, Wyoming State Engineer’s Office, Cheyenne, Wyoming; and public witnesses.

#### **EXAMINING THE IMPACT OF OBAMACARE ON DOCTORS AND PATIENTS**

*Committee on Oversight and Government Reform:* Subcommittee on Health Care, District of Columbia, Census, and National Archives held a hearing entitled “Examining the Impact of ObamaCare on Doctors and Patients”. Testimony was heard from Jeff Colyer, Lt. Governor, State of Kansas; and public witnesses.

#### **ADMINISTRATION’S AUTO BAILOUTS AND THE DELPHI PENSION DECISIONS: WHO PICKED THE WINNERS AND LOSERS**

*Committee on Oversight and Government Reform:* Subcommittee on TARP, Financial Services, and Bailouts of Public and Private Programs held a hearing entitled “The Administration’s Auto Bailouts and the Delphi Pension Decisions: Who Picked the Win-

ners and Losers?”. Testimony was heard from Christy Romero, Special Inspector General for the Troubled Asset Relief Program, Department of Treasury; Nikki Clowers, Director, Financial Markets and Community Investment, Government Accountability Office; and public witnesses.

#### **IMPACT OF OBAMACARE ON JOB CREATORS AND THE ECONOMY**

*Committee on Oversight and Government Reform:* Full Committee held a hearing entitled “Examining the Impact of ObamaCare on Job Creators and the Economy”. Testimony was heard from Daniel Wolf, Massachusetts State Senator; and public witnesses.

#### **NATIONAL STRATEGIC AND CRITICAL MINERALS PRODUCTION ACT OF 2012**

*Committee on Rules:* Full Committee held a hearing on H.R. 4402, the “National Strategic and Critical Minerals Production Act of 2012”. The Committee granted, by voice vote, a structured rule providing one hour of general debate equally divided and controlled by the chair and ranking minority member of the Committee on Natural Resources. The rule waives all points of order against consideration of the bill. The rule makes in order as original text for purpose of amendment the amendment in the nature of a substitute consisting of the text of Rules Committee Print 112–26 and provides that it shall be considered as read. The rule waives all points of order against the amendment in the nature of a substitute. The rule makes in order only those amendments printed in the Rules Committee report. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question. The rule waives all points of order against the amendments printed in the report. Finally, the rule provides one motion to recommit with or without instructions. Testimony was heard from Chairman Hastings (WA), and Representatives Markey, Amodei, Hastings (FL) and Bonamici.

#### **A REVIEW OF FEDERAL MARITIME DOMAIN AWARENESS PROGRAMS**

*Committee on Transportation and Infrastructure:* Subcommittee on Coast Guard and Maritime Transportation held a hearing entitled “A Review of Federal Maritime Domain Awareness Programs”. Testimony was heard from Vice Admiral Peter V. Neffenger, Deputy Commandant for Operations, United States Coast Guard.

## TAX RAMIFICATIONS OF THE SUPREME COURT'S RULING ON THE DEMOCRATS' HEALTH CARE LAW

*Committee on Ways and Means:* Full Committee held a hearing entitled "Tax Ramifications of the Supreme Court's Ruling on the Democrats' Health Care Law". Testimony was heard from public witnesses.

## Joint Meetings

No joint committee meetings were held.

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## NEW PUBLIC LAWS

(For last listing of Public Laws, see DAILY DIGEST, p. D693)

H.R. 33, to amend the Securities Act of 1933 to specify when certain securities issued in connection with church plans are treated as exempted securities for purposes of that Act. Signed on July 9, 2012. (Public Law 112-142)

H.R. 2297, to promote the development of the Southwest waterfront in the District of Columbia. Signed on July 9, 2012. (Public Law 112-143)

S. 3187, to amend the Federal Food, Drug, and Cosmetic Act to revise and extend the user-fee programs for prescription drugs and medical devices, to establish user-fee programs for generic drugs and biosimilars. Signed on July 9, 2012. (Public Law 112-144)

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## COMMITTEE MEETINGS FOR WEDNESDAY, JULY 11, 2012

(Committee meetings are open unless otherwise indicated)

### Senate

*Committee on Finance:* to hold hearings to examine Medicare physician payments, focusing on perspectives from physicians, 10 a.m., SD-215.

*Committee on Homeland Security and Governmental Affairs:* to hold hearings to examine the future of Homeland Security, focusing on evolving and emerging threats, 10 a.m., SD-342.

*Committee on the Judiciary:* to hold an oversight hearing to examine the impact on competition of exclusion orders to enforce standard-essential patents, 9:30 a.m., SD-226.

Full Committee, to hold hearings to examine the nominations of Thomas M. Durkin, to be United States District Judge for the Northern District of Illinois, and

Jon S. Tigar, and William H. Orrick III, of the District of Columbia, both to be a United States District Judge for the Northern District of California, 2 p.m., SD-226.

### House

*Committee on Agriculture,* Full Committee, markup to consider the 2012 Farm Bill, 10 a.m., 1300 Longworth.

*Committee on Armed Services,* Subcommittee on Emerging Threats and Capabilities, hearing entitled "The Future of U.S. Special Operations Forces", 3:30 p.m., 2118 Rayburn.

*Committee on Energy and Commerce,* Subcommittee on Oversight and Investigations, hearing entitled "RIN Fraud: EPA's Efforts to Ensure Market Integrity in the Renewable Fuels Program", 10 a.m., 2322 Rayburn.

Subcommittee on Health, hearing entitled "Helping Veterans with Emergency Medical Training Transition to Civilian Service", 10:15 a.m., 2123 Rayburn.

*Committee on Financial Services,* Subcommittee on Financial Institutions and Consumer Credit, hearing entitled "The Impact of Dodd-Frank's Home Mortgage Reforms: Consumer and Market Perspectives", 10 a.m., 2128 Rayburn.

*Committee on Homeland Security,* Subcommittee on Transportation Security, hearing entitled "Has TSA Met the Deadline to Provide Expedited Screening to Military Service Members?", 2 p.m., 311 Cannon.

*Committee on the Judiciary,* Subcommittee on Crime, Terrorism, and Homeland Security, hearing entitled "National Security Leaks and the Law", 10 a.m., 2141 Rayburn.

*Committee on Natural Resources,* Full Committee, markup of the following measures: H.R. 3641, the "Pinnacles National Park Act"; H.R. 4100, the "Illegal, Unreported, and Unregulated Fishing Enforcement Act of 2011"; H.R. 4484, the "Y Mountain Access Enhancement Act"; H.R. 4606, to authorize the issuance of right-of-way permits for natural gas pipelines in Glacier National Park, and for other purposes; H.R. 5958, to name the Jamaica Bay Wildlife Refuge Visitor Contact Station of the Jamaica Bay Wildlife Refuge unit of Gateway National Recreation Area in honor of James L. Buckley; and H.R. 5987, the "Manhattan Project National Historical Park Act", 10 a.m., 1324 Longworth.

*Committee on Small Business,* Full Committee, hearing entitled "Is FMCSA's CSA Program Driving Small Businesses Off the Road?", 1 p.m., 2360 Rayburn.

*Committee on Veterans' Affairs,* Full Committee, markup of the following measures: H.R. 5948, the "Veterans Fiduciary Reform Act of 2012"; H.R. 5747, the "Military Family Home Protection Act" and H.R. 4057, the "Improving Transparency of Education Opportunities for Veterans Act of 2012", 9:30 a.m., 334 Cannon.

*Next Meeting of the SENATE*

9:30 a.m., Wednesday, July 11

*Next Meeting of the HOUSE OF REPRESENTATIVES*

10 a.m., Wednesday, July 11

## Senate Chamber

**Program for Wednesday:** The Majority Leader will be recognized. Senate hopes to begin consideration of S. 2237, Small Business Jobs and Tax Relief Act.

## House Chamber

**Program for Wednesday:** Complete consideration of H.R. 6079—To repeal the Patient Protection and Affordable Care Act and health care-related provisions in the Health Care and Education Reconciliation Act of 2010. Begin consideration of H.R. 4402—National Strategic and Critical Minerals Production Act of 2012 (Subject to a Rule).

## Extensions of Remarks, as inserted in this issue

## HOUSE

Akin, W. Todd, Mo., E1217  
Beniskey, Dan, Mich., E1216  
Black, Diane, Tenn., E1217  
Capito, Shelley Moore, W.Va., E1219  
Capuano, Michael E., Mass., E1215  
Coffman, Mike, Colo., E1220  
Conaway, K. Michael, Tex., E1221  
Denham, Jeff, Calif., E1218

Duffy, Sean P., Wisc., E1217, E1218  
Emerson, Jo Ann, Mo., E1215, E1221  
Faleomavaega, Eni F.H., American Samoa, E1218  
Farr, Sam, Calif., E1219  
Green, Al, Tex., E1220  
Grimm, Michael G., N.Y., E1216  
Hanna, Richard L., N.Y., E1221  
Kucinich, Dennis J., Ohio, E1220  
Lance, Leonard, N.J., E1220  
Lipinski, Daniel, Ill., E1219

Manzullo, Donald A., Ill., E1221  
Myrick, Sue Wilkins, N.C., E1217  
Peters, Gary C., Mich., E1216  
Richardson, Laura, Calif., E1217  
Ryan, Paul, Wisc., E1216  
Scott, Tim, S.C., E1216  
Wilson, Joe, S.C., E1215  
Yarmuth, John A., Ky., E1215  
Young, C.W. Bill, Fla., E1219



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