

Daily Digest

HIGHLIGHTS

Senate passed H.R. 674, 3% Withholding Repeal and Job Creation Act, as amended.

Senate

Chamber Action

Routine Proceedings, pages S7307–S7393

Measures Introduced: Twenty-one bills and two resolutions were introduced, as follows: S. 1839–1859, and S. Res. 320–321. **Pages S7367–68**

Measures Reported:

S. 598, to repeal the Defense of Marriage Act and ensure respect for State regulation of marriage.

Page S7366

Measures Passed:

3% Withholding Repeal and Job Creation Act: By a unanimous vote of 95 yeas, 1 responding present (Vote No. 204), Senate passed H.R. 674, to amend the Internal Revenue Code of 1986 to repeal the imposition of 3 percent withholding on certain payments made to vendors by government entities, to modify the calculation of modified adjusted gross income for purposes of determining eligibility for certain health care-related programs, after taking action on the following amendments proposed thereto:

Pages S7336–46

Adopted:

By 94 yeas to 1 nay, 1 responding present (Vote No. 203), Reid (for Tester) Modified Amendment No. 927, to amend the Internal Revenue Code of 1986 to permit a 100 percent levy for payments to Federal vendors relating to property, to require a study on how to reduce the amount of Federal taxes owed but not paid by Federal contractors, and to make certain improvements in the laws relating to the employment and training of veterans. (A unanimous-consent agreement was reached providing that the amendment, having achieved 60 affirmatives votes, be agreed to.)

Pages S7336–39

Rejected:

By 40 yeas to 56 nays, 1 responding present (Vote No. 202), McCain Amendment No. 928 (to Amendment No. 927), to provide American jobs through

economic growth. (A unanimous-consent agreement was reached providing that the amendment, having failed to achieve 60 affirmative votes, the amendment was not agreed to.) **Pages S7336, S7338**

Authorize Conveyance of Property: Senate passed S. 363, to authorize the Secretary of Commerce to convey property of the National Oceanic and Atmospheric Administration to the City of Pascagoula, Mississippi, after agreeing to the following amendment proposed thereto:

Page S7390

Cantwell (for Wicker) Amendment No. 942, to improve the bill.

Page S7390

Immigration and Nationality Act: Committee on the Judiciary was discharged from further consideration of H.R. 398, to amend the Immigration and Nationality Act to toll, during active-duty service abroad in the Armed Forces, the periods of time to file a petition and appear for an interview to remove the conditional basis for permanent resident status, and the bill was then passed.

Pages S7390–91

Small Business Saturday: Senate agreed to S. Res. 320, designating November 26, 2011, as “Small Business Saturday” and supporting efforts to increase awareness of the value of locally owned small businesses.

Page S7391

Federal Executive Boards 50th Anniversary: Senate agreed to S. Res. 321, commemorating the 50th anniversary of the Federal Executive Boards.

Pages S7391–92

Measures Considered:

Cross-Border Air Pollution: Senate began consideration of the motion to proceed to consideration of S.J. Res. 27, disapproving a rule submitted by the Environmental Protection Agency relating to the mitigation by States of cross-border air pollution under the Clean Air Act.

Pages S7310–24, S7326

During consideration of this measure today, Senate also took the following action: By 41 yeas to 56 nays

(Vote No. 201), Senate rejected the motion to proceed to consideration of the joint resolution.

Page S7326

Internet and Broadband Industry Practices Regulating: Senate continued consideration of the motion to proceed to consideration of S.J. Res. 6, disapproving the rule submitted by the Federal Communications Commission with respect to regulating the Internet and broadband industry practices.

Page S7324

During consideration of this measure today, Senate also took the following action: By 46 yeas to 52 nays (Vote No. 200), Senate rejected the motion to proceed to consideration of the joint resolution.

Pages S7325–26

Energy and Water Development and Related Agencies Appropriations Act—Agreement: Senate resumed consideration of the motion to proceed to consideration of H.R. 2354, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2012.

Pages S7346–58

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

By 81 yeas to 14 nays (Vote No. 205), 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 S7347

A unanimous-consent agreement was reached providing that Senate begin consideration of the bill at 3 p.m., on Monday, November 14, 2011.

Page S7392

Signing Authority—Agreement: A unanimous-consent agreement was reached providing that from Thursday, November 10, 2011, through Monday, November 14, 2011, the Majority Leader be authorized to sign duly enrolled bills or joint resolutions.

Page S7326

Gleason and Rogers Nominations—Agreement: A unanimous-consent-time agreement was reached providing that at 11 a.m., on Tuesday, November 15, 2011, Senate will begin consideration of the nominations of Sharon L. Gleason, of Alaska, to be United States District Judge for the District of Alaska, and Yvonne Gonzalez Rogers, of California, to be United States District Judge for the Northern District of California; that there be one hour for debate equally divided in the usual form; that upon the use or yielding back of time, Senate vote, without intervening action or debate, on confirmation of the nominations in the order listed; that no further motions be in order to any of the nominations.

Page S7390

Nominations Confirmed: Senate confirmed the following nominations:

6 Air Force nominations in the rank of general.
35 Army nominations in the rank of general.
4 Navy nominations in the rank of admiral.

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

Pages S7388–90, S7392–93

Nominations Received: Senate received the following nominations:

Richard Gary Taranto, of Maryland, to be United States Circuit Judge for the Federal Circuit.

Gonzalo P. Curiel, of California, to be United States District Judge for the Southern District of California.

John Z. Lee, of Illinois, to be United States District Judge for the Northern District of Illinois.

George Levi Russell III, of Maryland, to be United States District Judge for the District of Maryland.

John J. Tharp, Jr., of Illinois, to be United States District Judge for the Northern District of Illinois.

William B. Pollard III, of New York, to be a Judge of the United States Court of Military Commission Review.

Scott L. Silliman, of North Carolina, to be a Judge of the United States Court of Military Commission Review.

Page S7392

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

Edward Carroll DuMont, of the District of Columbia, to be United States Circuit Judge for the Federal Circuit, which was sent to the Senate on January 5, 2011.

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Messages from the House:

Page S7365

Executive Communications:

Pages S7365–66

Executive Reports of Committees:

Pages S7366–67

Additional Cosponsors:

Pages S7368–69

Statements on Introduced Bills/Resolutions:

Pages S7369–85

Additional Statements:

Pages S7364–65

Amendments Submitted:

Pages S7385–88

Notices of Hearings/Meetings:

Page S7388

Authorities for Committees to Meet:

Page S7388

Privileges of the Floor:

Page S7388

Record Votes: Six record votes were taken today. (Total—205)

Pages S7325–26, S7338–39, S7347

Adjournment: Senate convened at 9:30 a.m. and adjourned at 5:33 p.m., until 2 p.m. on Monday, November 14, 2011. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S7392.)

Committee Meetings

(Committees not listed did not meet)

BUSINESS MEETING

Committee on Armed Services: Committee ordered favorably reported 4,022 nominations in the Army, Navy, and Air Force.

CHIEF OF THE NATIONAL GUARD BUREAU

Committee on Armed Services: Committee concluded a hearing to examine whether the Chief, National Guard Bureau should be a member of the Joint Chiefs of Staff, after receiving testimony from Jeh Charles Johnson, General Counsel, General Martin E. Dempsey, USA, Chairman, and Admiral James A. Winnefeld, Jr., USN, Vice Chairman, both of the Joint Chiefs of Staff, General Raymond T. Odierno, USA, Chief of Staff of the Army, Admiral Jonathan Greenert, Chief of Naval Operations, General James F. Amos, USMC, Commandant of the Marine Corps, General Norton A. Schwartz, USAF, Chief of Staff of the Air Force, and General Craig R. McKinley, USAF, Chief, National Guard Bureau, all of the Department of Defense.

ECONOMIC DEVELOPMENT IN INDIAN COUNTRY

Committee on Banking, Housing, and Urban Affairs: Committee concluded a hearing to examine opportunities and challenges for economic development in Indian country, after receiving testimony from Mark A. Tilsen, Native American Natural Foods, LLC, Kyle, South Dakota; Martin M. Olsson, Eagle Bank, and Dante Desiderio, Native American Finance Officers Association, both of Washington, D.C.; Tanya Fiddler, Four Bands Community Fund, Eagle Butte, South Dakota; and Susan M. Woodrow, Federal Reserve Bank of Minneapolis Helena Branch, Minneapolis, Minnesota.

BUSINESS MEETING

Committee on Energy and Natural Resources: Committee ordered favorably reported the following business items:

S. 114, to authorize the Secretary of the Interior to enter into a cooperative agreement for a park headquarters at San Antonio Missions National Historical Park, to expand the boundary of the Park, to conduct a study of potential land acquisitions, with an amendment in the nature of a substitute;

S. 140, to designate as wilderness certain land and inland water within the Sleeping Bear Dunes National Lakeshore in the State of Michigan;

S. 247, to establish the Harriet Tubman National Historical Park in Auburn, New York, and the Harriet Tubman Underground Railroad National Histor-

ical Park in Caroline, Dorchester, and Talbot Counties, Maryland, with amendments;

S. 264, to direct the Secretary of the Interior to convey to the State of Mississippi 2 parcels of surplus land within the boundary of the Natchez Trace Parkway, with an amendment;

S. 302, to authorize the Secretary of the Interior to issue right-of-way permits for a natural gas transmission pipeline in nonwilderness areas within the boundary of Denali National Park;

S. 322, to expand the Alpine Lakes Wilderness in the State of Washington, to designate the Middle Fork Snoqualmie River and Pratt River as wild and scenic rivers;

S. 323, to establish the First State National Historical Park in the State of Delaware;

S. 499, to authorize the Secretary of the Interior to facilitate the development of hydroelectric power on the Diamond Fork System of the Central Utah Project;

S. 500, to direct the Secretary of the Interior to convey certain Federal features of the electric distribution system to the South Utah Valley Electric Service District, with amendments;

S. 526, to provide for the conveyance of certain Bureau of Land Management land in Mohave County, Arizona, to the Arizona Game and Fish Commission, for use as a public shooting range, with an amendment in the nature of a substitute;

S. 667, to establish the Rio Grande del Norte National Conservation Area in the State of New Mexico;

S. 765, to modify the boundary of the Oregon Caves National Monument;

S. 766, to provide for the designation of the Devil's Staircase Wilderness Area in the State of Oregon, to designate segments of Wasson and Franklin Creeks in the State of Oregon as wild rivers;

S. 779, to authorize the acquisition and protection of nationally significant battlefields and associated sites of the Revolutionary War and the War of 1812 under the American Battlefield Protection Program;

S. 802, to authorize the Secretary of the Interior to allow the storage and conveyance of nonproject water at the Norman project in Oklahoma;

S. 883, to authorize National Mall Liberty Fund D.C. to establish a memorial on Federal land in the District of Columbia to honor free persons and slaves who fought for independence, liberty, and justice for all during the American Revolution;

S. 888, to amend the Wild and Scenic Rivers Act to designate a segment of Illabot Creek in Skagit County, Washington, as a component of the National Wild and Scenic Rivers System;

S. 896, to amend the Public Land Corps Act of 1993 to expand the authorization of the Secretaries

of Agriculture, Commerce, and the Interior to provide service opportunities for young Americans; help restore the nation's natural, cultural, historic, archaeological, recreational and scenic resources; train a new generation of public land managers and enthusiasts; and promote the value of public service, with amendments;

S. 970, to designate additional segments and tributaries of White Clay Creek, in the States of Delaware and Pennsylvania, as a component of the National Wild and Scenic Rivers System;

S. 1047, to amend the Reclamation Projects Authorization and Adjustment of 1992 to require the Secretary of the Interior, acting through the Bureau of Reclamation, to take actions to improve environmental conditions in the vicinity of the Leadville Mine Drainage Tunnel in Lake County, Colorado;

S. 1090, to designate as wilderness certain public land in the Cherokee National Forest in the State of Tennessee;

S. 1134, to authorize the St. Croix River Crossing Project with appropriate mitigation measures to promote river values, with an amendment;

S. 1325, to direct the Secretary of the Interior to study the suitability and feasibility of designating sites in the Lower Mississippi River Area in the State of Louisiana as a unit of the National Park System, with an amendment in the nature of a substitute;

S. 1344, to direct the Secretary of Agriculture to take immediate action to recover ecologically and economically from a catastrophic wildfire in the State of Arizona, with an amendment in the nature of a substitute;

S. 1421, to authorize the Peace Corps Commemorative Foundation to establish a commemorative work in the District of Columbia and its environs;

S. 1478, to modify the boundary of the Minuteman Missile National Historic Site in the State of South Dakota;

H.R. 441, to authorize the Secretary of the Interior to issue permits for microhydro projects in non-wilderness areas within the boundaries of Denali National Park and Preserve, to acquire land for Denali National Park and Preserve from Doyon Tourism, Inc; and

The nominations of Gregory Howard Woods, of New York, to be General Counsel, LaDoris Guess Harris, of Georgia, to be Director of the Office of Minority Economic Impact, David T. Danielson, of California, to be Assistant Secretary for Energy Efficiency and Renewable Energy, and Charles DeWitt McConnell, of Ohio, to be Assistant Secretary for Fossil Energy, all of the Department of Energy.

UNEMPLOYMENT INSURANCE

Committee on Finance: Committee concluded a hearing to examine unemployment insurance, focusing on the path back to work, after receiving testimony from Charles J. Fogarty, Rhode Island Department of Labor and Training Director, Cranston; Stephen A. Wandner, Urban Institute, Washington, D.C.; Larry Temple, Texas Workforce Commission, Austin; and Don Peitersen, American Institute for Full Employment, Aurora, Colorado.

HEALTH CARE DELIVERY SYSTEM REFORM

Committee on Health, Education, Labor, and Pensions: Committee concluded a hearing to examine the role of health care delivery system reform, focusing on improving quality and lowering costs, after receiving testimony from Jonathan Blum, Deputy Administrator and Director, Center for Medicare, Centers for Medicare and Medicaid Services, Department of Health and Human Services; Christopher F. Koller, Rhode Island Health Insurance Commissioner, Providence; Gary S. Kaplan, Virginia Mason Health System, Seattle, Washington; Greg Poulsen, Intermountain Healthcare, Salt Lake City, Utah; and A. Mark Fendrick, University of Michigan Center for Value-Based Insurance Design, Ann Arbor.

INDIAN AFFAIRS BILLS

Committee on Indian Affairs: Committee concluded a hearing to examine S. 1192, to supplement State jurisdiction in Alaska Native villages with Federal and tribal resources to improve the quality of life in rural Alaska while reducing domestic violence against Native women and children and to reduce alcohol and drug abuse and for other purposes, S. 872, to amend the Omnibus Indian Advancement Act to modify the date as of which certain tribal land of the Lytton Rancheria of California is considered to be held in trust and to provide for the conduct of certain activities on the land, and S. 1763, to decrease the incidence of violent crimes against Indian women, to strengthen the capacity of Indian tribes to exercise the sovereign authority of Indian tribes to respond to violent crimes committed against Indian women, and to ensure that perpetrators of violent crimes committed against Indian women are held accountable for that criminal behavior, after receiving testimony from Senators Feinstein and Begich; Thomas J. Perrelli, Associate Attorney General, Department of Justice; Joseph Masters, Alaska Department of Public Safety Commissioner, Anchorage; Mayor Paul Morris, City of San Pablo, California; Suzanne Koepplinger, Minnesota Indian Women's Resource Center, and Thomas B. Heffelfinger, Best and Flanagan LLP, both of Minneapolis, Minnesota; Margie Mejia, Lytton Rancheria, Santa Rosa, California; and

Ralph Andersen, Alaska Federation of Natives, Dillingham.

BUSINESS MEETING

Committee on the Judiciary: Committee ordered favorably reported the following business items:

S. 598, to repeal the Defense of Marriage Act and ensure respect for State regulation of marriage; and

The nominations of Susie Morgan, to be United States District Judge for the Eastern District of Lou-

isiana, and Michael E. Horowitz, of Maryland, to be Inspector General, Department of Justice.

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.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 7 public bills, H.R. 3397–3403; and 3 resolutions, H.J. Res. 85; H. Con. Res. 87; and H. Res. 461, were introduced.

Pages H7405–06

Additional Cosponsors:

Page H7406

Reports Filed: Reports were filed today as follows:

H.R. 2839, to suppress the threat of piracy on the high seas, and for other purposes (H. Rept. 112–273 Pt. 1);

H.R. 1299, to achieve operational control of and improve security at the international land borders of the United States, and for other purposes, with an amendment (H. Rept. 112–274);

H.R. 704, to amend the Immigration and Nationality Act to eliminate the diversity immigrant program (H. Rept. 112–275);

H.R. 3094, to amend the National Labor Relations Act with respect to representation hearings and the timing of elections of labor organizations under that Act, with an amendment (H. Rept. 112–276);

H.R. 822, to amend title 18, United States Code, to provide a national standard in accordance with which nonresidents of a State may carry concealed firearms in the State, with an amendment (H. Rept. 112–277);

H.R. 10, to amend chapter 8 of title 5, United States Code, to provide that major rules of the executive branch shall have no force or effect unless a joint resolution of approval is enacted into law, with an amendment (Rept. 112–278 Pt. 1);

H.R. 588, to redesignate the Noxubee National Wildlife Refuge as the Sam D. Hamilton Noxubee National Wildlife Refuge (H. Rept. 112–279);

H.R. 1408, to provide for the settlement of certain claims under the Alaska Native Claims Settlement Act, and for other purposes, with an amendment (H. Rept. 112–280); and H.R. 1981, to

amend title 18, United States Code, with respect to child pornography and child exploitation offenses, with an amendment (H. Rept. 112–281 Pt. 1).

Page H7405

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

Page H7403

Chaplain: The prayer was offered by the guest chaplain, Reverend Dr. Alan Keiran, Office of the United States Senate Chaplain.

Page H7403

Presidential Messages: Read a message from the President wherein he notified Congress of the continuation of the national emergency declared with respect to the proliferation of weapons of mass destruction—referred to the Committee on Foreign Affairs and ordered to be printed (H. Doc. 112–71).

Page H7403

Read a message from the President wherein he notified Congress of the continuation of the national emergency declared with respect to Iran—referred to the Committee on Foreign Affairs and ordered to be printed (H. Doc. 112–72).

Page H7404

Senate Message: Message received from the Senate by the Clerk and subsequently presented to the House today appears on page H7403.

Quorum Calls—Votes: There were no yea-and-nay votes, and there were no recorded votes. There were no quorum calls.

Adjournment: The House met at 2:30 p.m. and adjourned at 2:37 p.m.

Committee Meetings

No hearings were held.

Joint Meetings

No joint committee meetings were held.

**COMMITTEE MEETINGS FOR MONDAY,
NOVEMBER 14, 2011**

(Committee meetings are open unless otherwise indicated)

Senate

No meetings/hearings scheduled.

Committee on Rules, Full Committee, hearing on H.R. 822, the “National Right-to-Carry Reciprocity Act of 2011,” 5 p.m., H-313 Capitol.

Next Meeting of the SENATE
2 p.m., Monday, November 14

Next Meeting of the HOUSE OF REPRESENTATIVES
2 p.m., Monday, November 14

Senate Chamber

Program for Monday: After the transaction of any morning business (not to extend beyond 3 p.m.), Senate will begin consideration of H.R. 2354, Energy and Water Development and Related Agencies Appropriations Act.

House Chamber

Program for Monday: To be announced.

Extensions of Remarks, as inserted in this issue

HOUSE

Adams, Sandy, Fla., E2027, E2029
Bishop, Timothy H., N.Y., E2027
Buerkle, Ann Marie, N.Y., E2028
Denham, Jeff, Calif., E2027, E2029
Gonzalez, Charles A., Tex., E2029
Richardson, Laura, Calif., E2027, E2028, E2030
Shuler, Heath, N.C., E2028
Thompson, Mike, Calif., E2028



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