

# Daily Digest

## Senate

### Chamber Action

*Routine Proceedings, pages S8493–S8553*

**Measures Introduced:** Seven bills and one resolution were introduced, as follows: S. 1981–1987, and S. Res. 347. **Pages S8547–48**

#### Measures Passed:

***Pipeline Safety, Regulatory Certainty, and Job Creation Act:*** Senate passed H.R. 2845, to amend title 49, United States Code, to provide for enhanced safety and environmental protection in pipeline transportation, to provide for enhanced reliability in the transportation of the Nation’s energy products by pipeline. **Page S8552**

***United States Commission on International Religious Freedom Reform and Reauthorization Act:*** Committee on Foreign Relations was discharged from further consideration of H.R. 2867, to reauthorize the International Religious Freedom Act of 1998, and the bill was then passed, after agreeing to the following amendment proposed thereto:

**Pages S8552–53**

Reid (for Durbin) Amendment No. 1461, to limit appointments to the United States Commission on International Religious Freedom to 2 2-year terms, to authorize employees of the Commission who have filed a discrimination complaint under section 717 of the Civil Rights Act of 1964 to complete such proceedings, and to clarify that travel by members of the United States Commission on International Religious Freedom is subject to the Federal Travel Regulation and the Department of State Standardized Regulations. **Pages S8552–53**

#### Measures Considered:

***Balanced Budget Joint Resolutions—Agreement:*** Senate began consideration of S.J. Res. 10, proposing a balanced budget amendment to the Constitution of the United States, and S.J. Res. 24, proposing a balanced budget amendment to the Constitution of the United States. **Pages S8507–40**

A unanimous-consent agreement was reached providing for further consideration of the joint resolu-

tions at approximately 10:30 a.m., on Wednesday, December 14, 2011, under the previous order.

**Page S8553**

**Rule XIV H.R. 3630—Agreement:** A unanimous-consent agreement was reached providing that notwithstanding the lack of receipt of the papers from the House of Representatives with respect to H.R. 3630, to provide incentives for the creation of jobs, it be in order for the bill to be considered read for the first time and placed on the Legislative Calendar under the Heading “Bills and Joint Resolutions Read the First Time.” **Page S8553**

**Messages from the House: Page S8545**

**Measures Referred: Page S8545**

**Measures Placed on the Calendar: Page S8545**

**Measures Read the First Time: Page S8545**

**Enrolled Bills Presented: Page S8545**

**Executive Communications: Pages S8545–47**

**Executive Reports of Committees: Page S8547**

**Additional Cosponsors: Pages S8548–49**

**Statements on Introduced Bills/Resolutions: Pages S8549–51**

**Additional Statements: Pages S8543–45**

**Amendments Submitted: Pages S8551–52**

**Authorities for Committees to Meet: Page S8552**

**Adjournment:** Senate convened at 10 a.m. and adjourned at 7:34 p.m., until 9:30 a.m. on Wednesday, December 14, 2011. (For Senate’s program, see the remarks of the Majority Leader in today’s Record on page S8553.)

### Committee Meetings

*(Committees not listed did not meet)*

#### MF HOLDINGS INVESTIGATION

**Committee on Agriculture, Nutrition, and Forestry:** Committee concluded a hearing to examine MF Global bankruptcy, after receiving testimony from Jill E. Sommers, Commissioner, Commodity Futures Trading Commission; former Senator Jon S. Corzine,

Henri J. Steenkamp, and Bradley Abelow, all of MF Holdings Limited, and James W. Giddens, Securities Investor Protection Act Liquidation of MF Global, Inc., all of New York, New York; Roger Hupfer, Freeland Bean and Grain, Inc., Freeland, Michigan; Jeffrey Hainline, Advanced Trading Inc., Bloomington, Illinois; Clinton J. Blew, Mid Kansas Cooperative Association, Moundridge; Terrence A. Duffy, CME Group, Inc., Chicago, Illinois; and Dean Tofteland, Luverne, Minnesota.

#### BUSINESS MEETING

*Committee on Banking, Housing, and Urban Affairs:* Committee ordered favorably reported the nominations of Maurice A. Jones, of Virginia, to be Deputy Secretary, and Carol J. Galante, of California, to be an Assistant Secretary, both of the Department of Housing and Urban Development, and Thomas Hoenig, of Missouri, to be Vice Chairperson and a Member of the Board of Directors of the Federal Deposit Insurance Corporation.

#### FEDERAL HOUSING FINANCE AGENCY

*Committee on Banking, Housing, and Urban Affairs:* Committee concluded an oversight hearing to examine the Federal Housing Finance Agency (FHFA) part II, after receiving testimony from Steve A. Linick, Inspector General, Federal Housing Finance Agency.

#### HOMEOWNERS HARMED BY FORECLOSURES

*Committee on Banking, Housing, and Urban Affairs:* Subcommittee on Housing, Transportation and Community Development concluded a hearing to examine helping homeowners harmed by foreclosures, focusing on ensuring accountability and transparency in foreclosure reviews, after receiving testimony from Julie Williams, First Senior Deputy Comptroller, and Chief Counsel, Office of the Comptroller of the Currency, Department of the Treasury; Alys Cohen, National Consumer Law Center, Boston, Massachusetts; David C. Holland, Rust Consulting, Inc., Minneapolis, Minnesota; Paul Leonard, Financial Services Roundtable, Anthony B. Sanders, George Mason University Mercatus Center, and Ann Kenyon, Deloitte and Touche LLP, all of Washington, D.C.; and Konrad Alt, Promontory Financial Group, San Francisco, California.

#### OUR NATION'S WATER INFRASTRUCTURE

*Committee on Environment and Public Works:* Subcommittee on Water and Wildlife concluded a hearing to examine our nation's water infrastructure, focusing on challenges and opportunities, after receiving testimony from James A. Hanlon, Director, Office of Wastewater Management, Office of Water, Environmental Protection Agency; Joe Freeman, Oklahoma Water Resources Board Financial Assistance Division Chief, Oklahoma City; Gregory E. DiLoreto, American Society of Civil Engineers (ASCE), Washington, D.C.; Theodore E. Scott, Stormwater Consulting Inc., Hunt Valley, Maryland; and Van Richey, American Cast Iron Pipe Company, Birmingham, Alabama.

#### CHILD ABUSE

*Committee on Health, Education, Labor, and Pensions:* Subcommittee on Children and Families concluded a hearing to examine child abuse, focusing on protection, prevention, intervention, and deterrence, after receiving testimony from Erin Sullivan Sutton, Minnesota Department of Human Services Assistant Commissioner for Children and Family Services, St. Paul; Sheldon Kennedy, Respect Group Inc., Alberta, Canada; Michelle Collins, National Center for Missing and Exploited Children, Alexandria, Virginia; Frank P. Cervone, Support Center for Child Advocates, Philadelphia, Pennsylvania; Robert W. Block, American Academy of Pediatrics, Tulsa, Oklahoma; and Teresa Huizar, National Children's Alliance, Washington, D.C.

#### NOMINATION

*Committee on the Judiciary:* Committee concluded a hearing to examine the nomination of Paul J. Watford, of California, to be United States Circuit Judge for the Ninth Circuit, after the nominee, who was introduced by Senator Feinstein, testified and answered questions in his own behalf.

#### 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:** 20 public bills, H.R. 3638–3657; and 1 resolution, H. Res. 494 were introduced. **Pages H8879–81**

**Additional Cosponsors:** **Pages H8881–82**

**Report Filed:** A report was filed today as follows:

H. Res. 493, providing for consideration of the conference report to accompany the bill (H.R. 1540) to authorize appropriations for fiscal year 2012 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; and providing for proceedings during the period from December 16, 2011 through January 16, 2012 (H. Rept. 112–330). **Page H8879**

**Speaker:** Read a letter from the Speaker wherein he appointed Representative McClintock to act as Speaker pro tempore for today. **Page H8731**

**Recess:** The House recessed at 11:16 a.m. and reconvened at 12 noon. **Page H8741**

**Suspensions—Proceedings Resumed:** The House agreed to suspend the rules and pass the following measures which were debated yesterday, December 12th:

**Specialist Peter J. Navarro Post Office Building Designation Act:** H.R. 3246, to designate the facility of the United States Postal Service located at 15455 Manchester Road in Ballwin, Missouri, as the “Specialist Peter J. Navarro Post Office Building”, by a  $\frac{2}{3}$  recorded vote of 415 ayes with none voting “no”, Roll No. 920; **Pages H8759–60**

**Amending title 39, United States Code, to extend the authority of the United States Postal Service to issue a semipostal to raise funds for breast cancer research:** S. 384, to amend title 39, United States Code, to extend the authority of the United States Postal Service to issue a semipostal to raise funds for breast cancer research, by a  $\frac{2}{3}$  recorded vote of 417 ayes to 1 no, Roll No. 921; and **Page H8760–61**

**William T. Trant Post Office Building Designation Act:** H.R. 2767, to designate the facility of the United States Postal Service located at 8 West Silver Street in Westfield, Massachusetts, as the “William T. Trant Post Office Building”, by a  $\frac{2}{3}$  recorded vote of 420 ayes with none voting “no”, Roll No. 924. **Pages H8824–25**

**Privileged Resolution — Intent to Offer:** Representative Davis (IL) announced his intent to offer a privileged resolution. **Page H8761**

**Question of Privilege:** Representative Davis (IL) rose to a question of the privileges of the House and submitted a resolution. The Chair ruled that the resolution did not constitute a question of the privileges of the House. **Pages H8761–62**

**Middle Class Tax Relief and Job Creation Act of 2011:** The House passed H.R. 3630, to provide incentives for the creation of jobs, by a recorded vote of 234 ayes to 193 noes, Roll No. 923. **Pages H8745–59, H8762–H8824**

Rejected the Van Hollen motion to recommit the bill to the Committee on Ways and Means with instructions to report the same back to the House forthwith with an amendment, by a recorded vote of 183 ayes to 244 noes, Roll No. 922. **Pages H8820–24**

Pursuant to the rule, the amendment printed in H. Rept. 112–328 shall be considered as adopted. **Page H8762**

H. Res. 491, the rule providing for consideration of the bill, was agreed to by a recorded vote of 236 ayes to 180 noes, Roll No. 919, after the previous question was ordered by a yea-and-nay vote of 236 yeas to 182 nays, Roll No. 918. **Pages H8758–59**

A point of order was raised against the consideration of H. Res. 491 and it was agreed to proceed with consideration of the resolution by a yea-and-nay vote of 227 yeas to 174 nays, Roll No. 917. **Pages H8745–48**

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

**Drug Trafficking Safe Harbor Elimination Act of 2011:** H.R. 313, amended, to amend the Controlled Substances Act to clarify that persons who enter into a conspiracy within the United States to possess or traffic illegal controlled substances outside the United States, or engage in conduct within the United States to aid or abet drug trafficking outside the United States, may be criminally prosecuted in the United States; **Pages H8831–34**

**Calling for the repatriation of POW/MIAs and abductees from the Korean War:** H. Res. 376, amended, to call for the repatriation of POW/MIAs and abductees from the Korean War; and **Pages H8870–73**

**Urging the Republic of Turkey to safeguard its Christian heritage and to return confiscated church properties:** H. Res. 306, amended, to urge

the Republic of Turkey to safeguard its Christian heritage and to return confiscated church properties.

**Pages H8873–78**

**Suspensions—Proceedings Postponed:** The House debated the following measures under suspension of the rules. Further proceedings were postponed:

*Fallen Heroes of 9/11 Act:* H.R. 3421, to award Congressional Gold Medals in honor of the men and women who perished as a result of the terrorist attacks on the United States on September 11, 2001;

**Pages H8825–28**

*United States Marshals Service 225th Anniversary Commemorative Coin Act:* H.R. 886, amended, to require the Secretary of the Treasury to mint coins in commemoration of the 225th anniversary of the establishment of the Nation's first Federal law enforcement agency, the United States Marshals Service;

**Pages H8828–31**

*Iran Threat Reduction Act of 2011:* H.R. 1905, amended, to strengthen Iran sanctions laws for the purpose of compelling Iran to abandon its pursuit of nuclear weapons and other threatening activities; and

**Pages H8834–59**

*Iran, North Korea, and Syria Nonproliferation Reform and Modernization Act of 2011:* H.R. 2105, amended, to provide for the application of measures to foreign persons who transfer to Iran, North Korea, and Syria certain goods, services, or technology.

**Pages H8859–70**

**Senate Message:** Message received from the Senate by the Clerk and subsequently presented to the House today appears on page H8745.

**Quorum Calls—Votes:** Two yea-and-nay votes and six recorded votes developed during the proceedings of today and appear on pages H8747–48, H8758, H8758–59, H8759–60, H8760, H8823–24, H8824 and H8824–25. There were no quorum calls.

**Adjournment:** The House met at 10 a.m. and adjourned at 10:37 p.m.

## Committee Meetings

### LEGISLATIVE MEASURES

*Committee on the Judiciary:* Subcommittee on Crime, Terrorism, and Homeland Security held a hearing on H.R. 1823, the “Criminal Code Modernization and Simplification Act of 2011.” Testimony was heard from public witnesses.

### COSTS AND BURDENS OF CIVIL DISCOVERY

*Committee on the Judiciary:* Subcommittee on the Constitution held a hearing entitled “The Costs and

Burdens of Civil Discovery.” Testimony was heard from public witnesses.

### LEGISLATIVE MEASURES

*Committee on Natural Resources:* Subcommittee on Energy and Mineral Resources held a hearing on the following: H.R. 2512, the “Three Kids Mine Remediation and Reclamation Act”; and H.R. 3479, the “Natural Hazards Risk Reduction Act of 2011”. Testimony was heard from David Applegate, Associate Director for Natural Hazards, Geological Survey; John Anderson, Seismological Society of America; Mike Pool, Deputy Director, Bureau of Land Management; Andy Hafen, Mayor, Henderson, Nevada; and public witnesses.

### NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2012

*Committee on Rules:* Full Committee held a hearing on H.R. 1540, the National Defense Authorization Act for Fiscal Year 2012. The Committee granted, by a record vote of 8 to 4, a rule waiving all points of order against the conference report and its consideration. The rule provides that the conference report shall be considered as read. The rule provides that the previous question shall be considered as ordered without intervention of any motion except one hour of debate and one motion to recommit if applicable. The rule provides that debate on the conference report is divided pursuant to clause 8(d) of rule XXII.

Section 2 of the resolution provides that it shall be in order at any time through the remainder of the first session of the 112th Congress for the Speaker to entertain motions that the House suspend the rules, as though under clause 1(c) of rule XV, if the text of the measure proposed in a motion is made available on the calendar day before consideration.

Section 3 provides that on any legislative day of the first session of the 112th Congress after December 16, 2011: (1) the Journal of the proceedings of the previous day shall be considered as approved; (2) the Chair may at any time declare the House adjourned to meet at a date and time, within the limits of clause 4, section 5, article I of the Constitution, to be announced by the Chair in declaring the adjournment; and (3) bills and resolutions introduced during the period addressed by this section shall be numbered, listed in the Congressional Record, and when printed shall bear the date of introduction, but may be referred by the Speaker at a later time.

Section 4 provides that on any legislative day of the second session of the 112th Congress before January 17, 2012: (1) the Speaker may dispense with organizational and legislative business; (2) the Journal of the proceedings of the previous day shall be considered as approved if applicable; and (3) the

Chair at any time may declare the House adjourned to meet at a date and time, within the limits of clause 4, section 5, article I of the Constitution, to be announced by the Chair in declaring the adjournment.

Finally, Section 5 authorizes the Speaker to appoint Members to perform the duties of the Chair for the duration of the period addressed by sections 3 and 4 as though under clause 8(a) of rule I.

Testimony was heard from Chairman McKeon and Rep. Smith of Washington.

## PUBLIC ALERT SYSTEM

*Committee on Transportation and Infrastructure:* Subcommittee on Economic Development, Public Buildings, and Emergency Management held a hearing entitled “The Effectiveness of Our Nation’s Public Alert System.” Testimony was heard from Damon Penn, Assistant Administrator, National Continuity Programs Directorate, Federal Emergency Management Agency; James Arden Barnett, Jr., Rear Admiral (Ret.), Chief, Public Safety and Homeland Security Bureau, Federal Communications Commission; and public witnesses.

## Joint Meetings

No joint committee meetings were held.

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## COMMITTEE MEETINGS FOR WEDNESDAY, DECEMBER 14, 2011

*(Committee meetings are open unless otherwise indicated)*

### Senate

*Committee on Banking, Housing, and Urban Affairs:* Subcommittee on Securities, Insurance and Investment, to hold hearings to examine investor risks in capital raising, 9:30 a.m., SD–538.

*Committee on Commerce, Science, and Transportation:* Business meeting to consider S. 1449, to authorize the appropriation of funds for highway safety programs and for other purposes, S. 1950, to amend title 49, United States Code, to improve commercial motor vehicle safety and reduce commercial motor vehicle-related accidents and fatalities, to authorize the Federal Motor Carrier Safety Administration, S. 1952, to improve hazardous materials transportation safety and for other purposes, S. 1953, to reauthorize the Research and Innovative Technology Administration, to improve transportation research and development, and a promotion list in the National Oceanic and Atmospheric Administration, 10 a.m., SR–253.

*Committee on Finance:* Subcommittee on Energy, Natural Resources, and Infrastructure, to hold hearings to examine alternative energy tax incentives, focusing on the effect of short-term extensions on alternative technology investment, domestic manufacturing, and jobs, 9:45 a.m., SD–215.

*Committee on Foreign Relations:* Subcommittee on European Affairs, to hold hearings to examine the state of human rights and rule of law in Russia, focusing on United States policy options, 10 a.m., SD–419.

*Committee on Health, Education, Labor, and Pensions:* Business meeting to consider S. 1855, to amend the Public Health Service Act to reauthorize various programs under the Pandemic and All-Hazards Preparedness Act, and the nominations of Wendy M. Spencer, of Florida, to be Chief Executive Officer of the Corporation for National and Community Service, Deepa Gupta, of Illinois, to be a Member of the National Council on the Arts, Christopher Merrill, of Iowa, to be a Member of the National Council on the Humanities, Stephanie Orlando, of New York, and Gary Blumenthal, of Massachusetts, both to be a Member of the National Council on Disability, and a nomination list in the Public Health Service, 10 a.m., SD–430.

*Committee on Homeland Security and Governmental Affairs:* Business meeting to consider an original bill entitled, “Stop Trading on Congressional Knowledge Act of 2012”, S. 1515, to permit certain members of the United States Secret Service and certain members of the United States Secret Service Uniformed Division who were appointed in 1984, 1985, or 1986 to elect to be covered under the District of Columbia Police and Firefighter Retirement and Disability System in the same manner as members appointed prior to 1984, H.R. 2297, to promote the development of the Southwest waterfront in the District of Columbia, H.R. 789, to designate the facility of the United States Postal Service located at 20 Main Street in Little Ferry, New Jersey, as the “Sergeant Matthew J. Fenton Post Office”, and H.R. 2422, to designate the facility of the United States Postal Service located at 45 Bay Street, Suite 2, in Staten Island, New York, as the “Sergeant Angel Mendez Post Office”, 10 a.m., SD–342.

*Committee on the Judiciary:* To hold an oversight hearing to examine the Federal Bureau of Investigation, 10 a.m., SD–226.

### House

*Committee on Energy and Commerce,* Subcommittee on Communications and Technology, hearing entitled “ICANN’s Top-Level Domain Name Program.” 9 a.m., 2123 Rayburn.

*Committee on Financial Services,* Subcommittee on Capital Markets and Government Sponsored Enterprises, markup of the following: the “Private Mortgage Market Investment Act”; and H.R. 2483, the “Whistleblower Improvement Act of 2011.” 10 a.m., HVC–210 Capitol.

*Committee on Foreign Affairs,* Subcommittee on the Middle East and South Asia, hearing entitled “Confronting Damascus: U.S. Policy toward the Evolving Situation in Syria.” 10 a.m., 2172 Rayburn.

*Committee on the Judiciary,* Subcommittee on the Constitution, hearing entitled “Judicial Reliance on Foreign Law.” 10 a.m., 2141 Rayburn.

*Committee on Oversight and Government Reform,* Full Committee, hearing entitled “The Leadership of the Nuclear Regulatory Commission” 10 a.m., 2154 Rayburn.

Full Committee, hearing entitled “HHS and the Catholic Church: Examining the Politicization of Grants (minority day of hearing).” 1:30 p.m., 2154 Rayburn.

*Committee on Transportation and Infrastructure*, Subcommittee on Water Resources and Environment, hearing entitled “Integrated Planning and Permitting: An Opportunity for EPA to Provide Communities with Flexibility to Make Smart Investments in Water Quality.” 10 a.m., 2167 Rayburn.

*Committee on Veterans' Affairs*, Subcommittee on Oversight and Investigations, hearing entitled “Is it Working: Reviewing VA’s Compensated Work Therapy Program.” 10 a.m., 334 Cannon.

*Committee on Ways and Means*, Subcommittee on Trade, hearing on the Trans-Pacific Partnership, 10 a.m., 1100 Longworth.

## Next Meeting of the SENATE

9:30 a.m., Wednesday, December 14

## Next Meeting of the HOUSE OF REPRESENTATIVES

10 a.m., Wednesday, December 14

## Senate Chamber

**Program for Wednesday:** After the transaction of any morning business (not to extend beyond one hour), Senate will continue consideration of S.J. Res. 10, Balanced Budget Amendment, and S.J. Res. 24, Balanced Budget Amendment, with votes on passage of the joint resolutions at approximately 10:45 a.m.

## House Chamber

**Program for Wednesday:** Consideration of the conference report to accompany H.R. 1540—National Defense Authorization Act for Fiscal Year 2012.

## Extensions of Remarks, as inserted in this issue

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