Wars of the United States, Middleton, Massachusetts.

REMOVING OBSTACLES FOR SMALL BUSINESS

Special Committee on Aging: Committee concluded a hearing to examine opportunities for savings, focusing on removing obstacles for small business, and if better agency coordination can help small employers address challenges to plan sponsorship, after receiving testimony from Phyllis C. Borzi, Assistant Secretary of Labor for the Employee Benefits Security Administration; Charles A. Jeszeck, Director, Education, Workforce, and Income Security, Government Accountability Office; Bryan Fiene, Robert W. Baird and Co. Incorporated, Madison, Wisconsin; and John J. Kalamarides, Prudential Retirement, Hartford, Connecticut.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 15 public bills, H.R. 4150–4164; and 5 resolutions, H. Con. Res. 107; and H. Res. 574–577, were introduced. **Pages H1272–73**

Additional Cosponsors: **Pages H1273–74**

Reports Filed: There were no reports filed today.

Speaker: Read a letter from the Speaker wherein he appointed Representative Webster to act as Speaker pro tempore for today. **Page H1211**

Recess: The House recessed at 11:09 a.m. and reconvened at 12 noon. **Page H1218**

Bureau of Reclamation Small Conduit Hydropower Development and Rural Jobs Act: The House passed H.R. 2842, to authorize all Bureau of Reclamation conduit facilities for hydropower development under Federal Reclamation law, by a yea-and-nay vote of 265 yeas to 154 nays, Roll No. 100. Consideration of the measure began yesterday, March 6th. **Pages H1231–34**

Rejected the Garamendi motion to recommit the bill to the Committee on Natural Resources with instructions to report the same back to the House forthwith with an amendment, by a recorded vote of 182 ayes to 237 noes, Roll No. 99. **Pages H1232–34**

Rejected:

Napolitano amendment (No. 1 printed in the Congressional Record of March 5, 2012) that was debated on March 6th that sought to strike the exemption for small conduit hydropower development from the National Environmental Policy Act of 1969 (by a recorded vote of 168 ayes to 253 noes, Roll No. 98). **Page H1231**

H. Res. 570, the rule providing for consideration of the bill, was agreed to yesterday, March 6th.

Reopening American Capital Markets to Emerging Growth Companies Act: The House began consideration of H.R. 3606, to increase American job creation and economic growth by improving access to the public capital markets for emerging growth companies. Further proceedings were postponed. **Pages H1236–64**

During the course of debate, exception was taken to certain words used and a request was made to have words taken down. The words were reported to the Committee of the Whole and the Chair subsequently announced that the Committee would rise. The Committee of the Whole rose and after review, the Chair ruled that the remarks constituted a personality directed toward an identifiable Member and announced that, without objection, said words would be stricken from the record. Subsequently, the Chair announced that the Committee of the Whole would resume its sitting. **Page H1240**

Pursuant to the rule, the amendment in the nature of a substitute consisting of the text of the Rules Committee Print 112–17 shall be considered as adopted in the House and in the Committee of the Whole, in lieu of the amendment in the nature of a substitute recommended by the Committee on Financial Services now printed in the bill. The bill, as amended, shall be considered as the original bill for the purpose of further amendment under the five-minute rule and shall be considered as read. **Page H1245**

Agreed to:

Fincher manager's amendment (No. 1 printed in H. Rept. 112–409) that makes technical changes to the underlying bill; **Page H1249**

McIntyre amendment (No. 2 printed in H. Rept. 112–409) that adjusts the Emerging Growth Company definition for inflation, resulting in providing more flexibility for businesses; **Pages H1249–50**

Jackson Lee (TX) amendment (No. 4 printed in H. Rept. 112–409) that adds a requirement that a company not be considered an "emerging growth

company'' if it has issued more than $1 billion in non-convertible debt over the prior three years; and **Pages H1251–52**

McCarthy (CA) amendment (No. 10 printed in H. Rept. 112–409) that clarifies that general advertising under this provision should only apply to Regulation D rule 506 offerings, allow for general solicitation in the secondary sale of these securities so long as only qualified institutional buyers purchase the securities, and provide consistency in interpretation that general advertising should not cause these offerings to be considered public offerings. **Pages H1260–61**

Rejected:

Jackson Lee (TX) amendment (No. 7 printed in H. Rept. 112–409) that sought to strike language that allows an emerging growth company or its underwriter to communicate with ''institutions that are accredited investors''; **Pages H1257–59**

Himes amendment (No. 3 printed in H. Rept. 112–409) that sought to lower the gross annual revenue cap from $1,000,000,000 to $750,000,000 for emerging growth companies to remain eligible for the regulatory on-ramp and strike the public float requirement for the on-ramp (by a recorded vote of 164 ayes to 245 noes, Roll No. 103); **Pages H1250–51, H1261–62**

Ellison amendment (No. 5 printed in H. Rept. 112–409) that sought to require Emerging Growth Companies to fully comply with say-on-pay and golden parachute shareholder votes (by a recorded vote of 169 ayes to 244 noes, Roll No. 104); **Pages H1252–55, H1262–63**

Waters amendment (No. 6 printed in H. Rept. 112–409) that sought to provide that if a broker or dealer is underwriting an initial public offering (IPO) for an emerging growth company (EGC) and providing research to the public about such IPO, those research reports need to be filed with the SEC, and the broker or dealer shall be held to stricter liability for their comments. Would also have provided that if EGCs are communicating, either orally or in writing, with potential investors before or following an offering, they need to file those communications with the SEC (by a recorded vote of 161 ayes to 259 noes, Roll No. 105); and **Pages H1255–57, H1263**

Connolly (VA) amendment (No. 9 printed in H. Rept. 112–409) that sought to require the Securities and Exchange Commission to perform a study, in consultation with the Commodities Futures Trading Commission, of the effects on emerging growth companies of financial speculation on domestic oil and gasoline prices and to forward the results of that study to Congress (by a recorded vote of 185 ayes to 236 noes, Roll No. 106). **Pages H1259–60, H1263–64**

Withdrawn:

Jackson Lee (TX) amendment (No. 8 printed in H. Rept. 112–409) that was offered and subsequently withdrawn that would have established new filing fee for Reg S–K Forms to discourage frivolous filings. **Page H1259**

H. Res. 572, the rule providing for consideration of the bill, was agreed to by a recorded vote of 252 ayes to 166 noes, Roll No. 102, after the previous question was ordered by a yea-and-nay vote of 244 yeas to 177 noes, Roll No. 101. **Pages H1222–31, H1234–36**

Meeting Hour: Agreed that when the House adjourns today, it adjourn to meet at 10 a.m. tomorrow. **Page H1264**

Senate Messages: Messages received from the Senate today appear on pages H1219 and H1231.

Senate Referral: S. 1886 was referred to the Committee on the Judiciary. **Page H1271**

Quorum Calls—Votes: Two yea-and-nay votes and seven recorded votes developed during the proceedings of today and appear on pages H1231–32, H1233–34, H1234, H1234–35, H1235–36, H1261–62, H1262, H1263, and H1263–64. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 7:42 p.m.

Committee Meetings

MISCELLANEOUS MEASURE

Committee on Agriculture: Full Committee held a markup on budget views and estimates letter of the Committee on Agriculture for the agencies and programs under jurisdiction of the Committee for FY 2013. The letter was agreed to without amendment.

APPROPRIATIONS—FEDERAL BUREAU OF INVESTIGATIONS

Committee on Appropriations: Subcommittee on Commerce, Justice, Science, and Related Agencies held a hearing on FY 2013 Budget Request for the Federal Bureau of Investigations. Testimony was heard from Robert S. Mueller III, Director, Federal Bureau of Investigations.

APPROPRIATIONS—DEPARTMENT OF THE ARMY

Committee on Appropriations: Subcommittee on Defense held a hearing on FY 2013 Budget Request for the Army. Testimony was heard from John M. McHugh, Secretary of the Army; and General Raymond Odierno, Chief of the Army.