

# Daily Digest

## HIGHLIGHTS

See Résumé of Congressional Activity.

## Senate

### Chamber Action

*Routine Proceedings, pages S6765–S6828*

**Measures Introduced:** Four bills and five resolutions were introduced, as follows: S. 3627–3630, and S. Res. 592–596. **Page S6800**

#### Measures Reported:

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. Rept. No. 112–239)

S. 183, to clarify the applicability of certain maritime laws with respect to the blowout and explosion of the mobile offshore drilling unit Deepwater Horizon, with an amendment in the nature of a substitute.

S. 692, to improve hurricane preparedness by establishing the National Hurricane Research Initiative, with an amendment in the nature of a substitute.

S. 911, to establish the sense of Congress that Congress should enact, and the President should sign, bipartisan legislation to strengthen public safety and to enhance wireless communications, with an amendment in the nature of a substitute.

S. 1449, to authorize the appropriation of funds for highway safety programs and for other purposes, with an amendment in the nature of a substitute.

S. 1980, to prevent, deter, and eliminate illegal, unreported, and unregulated fishing through port State measures.

S. 2279, to amend the R.M.S. Titanic Maritime Memorial Act of 1986 to provide additional protection for the R.M.S. Titanic and its wreck site.

S. 2388, to reauthorize and amend the National Oceanic and Atmospheric Administration Commissioned Officer Corps Act of 2002, with an amendment in the nature of a substitute. **Page S6800**

#### Measures Passed:

*Taking Essential Steps for Testing Act:* Senate passed H.R. 6118, to amend section 353 of the Public Health Service Act with respect to suspension, revocation, and limitation of laboratory certification. **Page S6827**

*Undertaking Spam, Spyware, And Fraud Enforcement With Enforcers beyond Borders Act:* Senate passed H.R. 6131, to extend the Undertaking Spam, Spyware, And Fraud Enforcement With Enforcers beyond Borders Act of 2006. **Page S6827**

*Superstorm Sandy Relief:* Senate agreed to S. Res. 596, permitting the solicitation of donations in Senate buildings for the relief of victims of Superstorm Sandy. **Page S6827**

#### Measures Considered:

*National Defense Authorization Act:* Senate began consideration of the motion to proceed to consideration of S. 3254, to authorize appropriations for fiscal year 2013 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. **Pages S6765–74**

*Cybersecurity Act:* By 51 yeas to 47 nays (Vote No. 202), three-fifths of those Senators duly chosen and sworn, having not voted in the affirmative, Senate upon reconsideration rejected the motion to close further debate on S. 3414, to enhance the security and resiliency of the cyber and communications infrastructure of the United States. **Pages S6774–84**

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

A unanimous-consent agreement was reached providing that the motion to proceed to the motion to reconsider the vote by which cloture was not invoked on August 2, 2012, was agreed to. **Page S6784**

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which cloture was not invoked on August 2, 2012, was agreed to. **Page S6784**

**Sportsmen's Act—Agreement:** A unanimous-consent agreement was reached providing that at 9:15 a.m., on Thursday, November 15, 2012, Senate vote on the motion to invoke cloture on S. 3525, to protect and enhance opportunities for recreational hunting, fishing, and shooting; and that the filing deadline for second-degree amendments to the bill be at 9:10 a.m., on Thursday, November 15, 2012.

**Pages S6827–28**

**Nominations Received:** Senate received the following nominations:

Valerie E. Caproni, of the District of Columbia, to be United States District Judge for the Southern District of New York.

Kenneth John Gonzales, of New Mexico, to be United States District Judge for the District of New Mexico.

Raymond P. Moore, of Colorado, to be United States District Judge for the District of Colorado.

Beverly Reid O'Connell, of California, to be United States District Judge for the Central District of California.

William L. Thomas, of Florida, to be United States District Judge for the Southern District of Florida.

Analisa Torres, of New York, to be United States District Judge for the Southern District of New York.

Derrick Kahala Watson, of Hawaii, to be United States District Judge for the District of Hawaii.

Claire R. Kelly, of New York, to be a Judge of the United States Court of International Trade.

A routine list in the Coast Guard. **Page S6828**

**Messages from the House:** **Page S6797**

**Measures Referred:** **Page S6797**

**Executive Communications:** **Pages S6797–S6800**

**Additional Cosponsors:** **Pages S6800–01**

**Statements on Introduced Bills/Resolutions:** **Pages S6801–06**

**Additional Statements:** **Pages S6795–97**

**Amendments Submitted:** **Pages S6806–27**

**Notices of Intent:** **Page S6827**

**Authorities for Committees to Meet:** **Page S6827**

**Privileges of the Floor:** **Page S6827**

**Record Votes:** One record vote was taken today. (Total—202) **Page S6784**

**Adjournment:** Senate convened at 2:30 p.m. and adjourned at 7:02 p.m., until 9 a.m. on Thursday, November 15, 2012. (For Senate's program, see the remarks of the Majority Leader in today's Record on pages S6827–28.)

## Committee Meetings

*(Committees not listed did not meet)*

### BASEL III OVERSIGHT

*Committee on Banking, Housing, and Urban Affairs:* Committee concluded an oversight hearing to examine Basel III, focusing on the impact of proposed capital rules, after receiving testimony from Michael S. Gibson, Director, Division of Banking Supervision and Regulation, Board of Governors of the Federal Reserve System; John C. Lyons, Senior Deputy Comptroller Bank Supervision Policy, and Chief National Bank Examiner, Office of the Comptroller of the Currency, Department of the Treasury; and George French, Deputy Director, Policy, Division of Risk Management Supervision, Federal Deposit Insurance Corporation.

### ATTACK ON THE UNITED STATES MISSION IN BENGHAZI

*Committee on Homeland Security and Governmental Affairs:* Committee received a closed briefing on the attack on the United States mission in Benghazi from Patrick Kennedy, Undersecretary for Management, and Eric Boswell, Assistant Secretary for Diplomatic Security, both of the Department of State; Michael Sheehan, Assistant Secretary for Special Operations and Low Intensity Conflict, and Major General Darryl Roberson, Vice Director, Operations (J-3), Joint Staff, both of the Department of Defense; Nicholas Rasmussen, Principal Deputy Director, National Counterterrorism Center (NCTC); Linda Weissgold, Director, Office of Terrorism Analysis, Central Intelligence Agency; and Andrew McCabe, Assistant Director of Counterterrorism Division, Federal Bureau of Investigation, Department of Justice.

# House of Representatives

## Chamber Action

**Public Bills and Resolutions Introduced:** 1 public bill, H.R. 6589; was introduced. **Page H6369**

**Additional Cosponsors:** **Page H6369**

**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 H6345**

**Recess:** The House recessed at 10:16 a.m. and reconvened at 12 noon. **Page H6347**

**Chaplain:** The prayer was offered by the guest chaplain, Reverend Donna Kafer, Arizona Legislative Chaplaincy, Peoria, Arizona. **Page H6347**

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

*New York City Natural Gas Supply Enhancement Act:* Concurred in the Senate amendment to H.R. 2606, to authorize the Secretary of the Interior to allow the construction and operation of natural gas pipeline facilities in the Gateway National Recreation Area; **Pages H6350–51**

*Amending the American Recovery and Reinvestment Act of 2009 and the Emergency Economic Stabilization Act of 2008 to consolidate certain CBO reporting requirements:* H.R. 6570, to amend the American Recovery and Reinvestment Act of 2009 and the Emergency Economic Stabilization Act of 2008 to consolidate certain CBO reporting requirements; **Pages H6351–52**

*Amending the Revised Organic Act of the Virgin Islands to provide for direct appeals to the United States Supreme Court of decisions of the Virgin Islands Supreme Court:* H.R. 6116, amended, to amend the Revised Organic Act of the Virgin Islands to provide for direct appeals to the United States Supreme Court of decisions of the Virgin Islands Supreme Court; and **Pages H6353–55**

Agreed to amend the title so as to read: To amend the Revised Organic Act of the Virgin Islands to provide for direct review by the United States Supreme Court of decisions of the Virgin Islands Supreme Court, and for other purposes. **Page H6355**

*Stop Tobacco Smuggling in the Territories Act of 2012:* H.R. 5934, to amend title 18, United States Code, to include certain territories and possessions of the United States in the definition of State for the purposes of chapter 114, relating to trafficking in contraband cigarettes and smokeless tobacco. **Pages H6355–57**

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

*Mark Twain Commemorative Coin Act:* Concur in the Senate amendments to H.R. 2453, to require the Secretary of the Treasury to mint coins in commemoration of Mark Twain. **Pages H6352–53**

**Senate Message:** Message received from the Senate by the Clerk and subsequently presented to the House today appears on page H6357.

**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 10 a.m. and adjourned at 2:58 p.m.

## Committee Meetings

### FUNGAL MENINGITIS OUTBREAK

*Committee on Energy and Commerce:* Subcommittee on Oversight and Investigation held a hearing entitled “The Fungal Meningitis Outbreak: Could it Have Been Prevented?” Testimony was heard from Margaret A. Hamburg, Commissioner, Food and Drug Administration; and Lauren Smith, Interim Commissioner, Massachusetts Department of Public Health.

### TRADE ADJUSTMENT ASSISTANCE FOR U.S. FIRMS: EVALUATING PROGRAM EFFECTIVENESS AND RECOMMENDATIONS

*Committee on Oversight and Government Reform:* Subcommittee on Efficiency and Financial Management held a hearing entitled “Trade Adjustment Assistance for U.S. Firms: Evaluating Program Effectiveness and Recommendations”. Testimony was heard from Bryan Borlik, Director, Trade Adjustment Assistance, Economic Development Administration, Department of Commerce; Williams J. Bujalos, Director, Mid-Atlantic Trade Adjustment Assistance Center; J. Alfredo Gomez, Acting Director, International Affairs and Trade, Government Accountability Office; and public witnesses.

### EXAMINATION OF HEALTH INFORMATION TECHNOLOGY STANDARDS AND INTEROPERABILITY

*Committee on Science, Space, and Technology:* Subcommittee on Technology and Innovation held a hearing entitled “An Examination of Health Information Technology Standards and Interoperability”.

Testimony was heard from Farzad Mostashari, National Coordinator for Health Information Technology, Office of the National Coordinator for Health Information Technology; Charles H. Romine, Director, Information Technology Laboratory, National Institute of Standards and Technology; and public witnesses.

## Joint Meetings

No joint committee meetings were held.

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### COMMITTEE MEETINGS FOR THURSDAY, NOVEMBER 15, 2012

*(Committee meetings are open unless otherwise indicated)*

#### Senate

*Committee on Armed Services:* to hold hearings to examine the nomination of General Joseph F. Dunford, Jr., USMC for reappointment to the grade of general and to be Commander, International Security Assistance Force, and to be Commander, U.S. Forces, Afghanistan, 9:30 a.m., SD-G50.

*Committee on Environment and Public Works:* to hold hearings to examine an original bill entitled, "Water Resources Development Act of 2012", 10:30 a.m., SD-406.

*Committee on Health, Education, Labor, and Pensions:* to hold hearings to examine pharmacy compounding, focus-

ing on implications of the 2012 meningitis outbreak, 9:45 a.m., SD-106.

*Select Committee on Intelligence:* to hold closed hearings to examine certain intelligence matters, 2:30 p.m., SH-219.

*Special Committee on Aging:* to hold hearings to examine preventing elder financial abuse, 2 p.m., SD-562.

#### House

*Committee on Foreign Affairs,* Full Committee, hearing entitled "Benghazi and Beyond: What Went Wrong on September 11, 2012 and How to Prevent it from Happening at other Frontline Posts", 10 a.m., 2172 Rayburn.

*Committee on Homeland Security,* Subcommittee on Counterterrorism and Intelligence, hearing entitled "WMD Terrorism: Assessing the Continued Homeland Threat", 10 a.m., 210 Cannon.

Subcommittee on Transportation Security, hearing entitled "TSA's Recent Scanner Shuffle: Real Strategy or Wasteful Smokescreen?", 10 a.m., 311 Cannon.

*Committee on Science, Space, and Technology,* Full Committee, hearing entitled "The U.S. Antarctic Program: Achieving Fiscal and Logistical Efficiency While Supporting Sound Science", 10 a.m., 2318 Rayburn.

*Committee on Veterans' Affairs,* Subcommittee on Economic Opportunity, hearing entitled "Review of Veterans Employment Challenges and Initiatives of the 112th Congress", 10 a.m., 334 Cannon.

*House Permanent Select Committee on Intelligence,* Full Committee, hearing on ongoing intelligence activities, 10 a.m., HVC-304. This is a closed hearing.

# Résumé of Congressional Activity

## SECOND 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

January 3 through October 31, 2012

	<i>Senate</i>	<i>House</i>	<i>Total</i>
Days in session .....	121	123	..
Time in session .....	729 hrs., 17'	625 hrs., 23'	..
Congressional Record:			
Pages of proceedings .....	6,707	6,319	..
Extension of Remarks .....	..	1,728	..
Public bills enacted into law .....	28	78	106
Private bills enacted into law .....	..	..	..
Bills in conference .....	..	..	..
Measures passed, total .....	337	365	702
Senate bills .....	46	29	..
House bills .....	81	241	..
Senate joint resolutions .....	3	..	..
House joint resolutions .....	1	3	..
Senate concurrent resolutions .....	12	9	..
House concurrent resolutions .....	12	15	..
Simple resolutions .....	182	68	..
Measures reported, total .....	*182	*301	483
Senate bills .....	132	11	..
House bills .....	29	243	..
Senate joint resolutions .....	1	..	..
House joint resolutions .....	..	1	..
Senate concurrent resolutions .....	1	..	..
House concurrent resolutions .....	..	2	..
Simple resolutions .....	19	44	..
Special reports .....	5	28	..
Conference reports .....	2	3	..
Measures pending on calendar .....	377	101	..
Measures introduced, total .....	1,875	3,186	5,061
Bills .....	1,594	2,818	..
Joint resolutions .....	17	24	..
Concurrent resolutions .....	26	45	..
Simple resolutions .....	238	299	..
Quorum calls .....	..	1	..
Yea-and-nay votes .....	200	194	..
Recorded votes .....	..	**407	..
Bills vetoed .....	..	..	..
Vetoes overridden .....	..	..	..

\*These figures include all measures reported, even if there was no accompanying report. A total of 127 reports have been filed in the Senate, 332 reports have been filed in the House.

\*\*Proceedings on Roll Call No. 327 were vacated by unanimous consent.

### DISPOSITION OF EXECUTIVE NOMINATIONS

January 3 through October 31, 2012

Civilian nominations, totaling 408 (including 188 nominations carried over from the First Session), disposed of as follows:		
Confirmed .....		225
Unconfirmed .....		166
Withdrawn .....		16
Returned to White House .....		1
Other Civilian nominations, totaling 3,899 (including 167 nominations carried over from the First Session), disposed of as follows:		
Confirmed .....		3,893
Unconfirmed .....		3
Withdrawn .....		3
Air Force nominations, totaling 5,812 (including 295 nominations carried over from the First Session), disposed of as follows:		
Confirmed .....		5,769
Unconfirmed .....		42
Withdrawn .....		1
Army nominations, totaling 6,057 (including 16 nominations carried over from the First Session), disposed of as follows:		
Confirmed .....		6,042
Unconfirmed .....		14
Withdrawn .....		1
Navy nominations, totaling 3,824 (including 1 nomination carried over from the First Session), disposed of as follows:		
Confirmed .....		3,822
Unconfirmed .....		2
Marine Corps nominations, totaling 1,310, disposed of as follows:		
Confirmed .....		1,310
<i>Summary</i>		
Total nominations carried over from the First Session .....		667
Total nominations received this Session .....		20,643
Total confirmed .....		21,061
Total unconfirmed .....		227
Total withdrawn .....		21
Total returned to the White House .....		1

*Next Meeting of the SENATE*

9 a.m., Thursday, November 15

*Next Meeting of the HOUSE OF REPRESENTATIVES*

10:00 a.m., Thursday, November 15

## Senate Chamber

**Program for Thursday:** The Majority Leader will be recognized. At 9:15 a.m., Senate will vote on the motion to invoke cloture on S. 3525, Sportsmen's Act, and the filing deadline for second-degree amendments to the bill will be at 9:10 a.m.

## House Chamber

**Program for Thursday:** Begin consideration of H.R. 6156—Russia and Moldova Jackson-Vanik Repeal Act of 2012 (Subject to a Rule).

## Extensions of Remarks, as inserted in this issue

## HOUSE

Andrews, Robert E., N.J., E1753, E1755  
Capps, Lois, Calif., E1755  
Clarke, Yvette D., N.Y., E1755  
Coffman, Mike, Colo., E1755

Costa, Jim, Calif., E1754  
Courtney, Joe, Conn., E1755  
Ellison, Keith, Minn., E1754  
Eshoo, Anna G., Calif., E1753  
Graves, Sam, Mo., E1753, E1754, E1755  
Johnson, Timothy V., Ill., E1754

Michaud, Michael H., Me., E1754  
Miller, George, Calif., E1754  
Pence, Mike, Ind., E1754  
Schock, Aaron, Ill., E1753



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