

Daily Digest

HIGHLIGHTS

House and Senate met in a Joint Meeting to receive His Excellency Lee Myung-bak, President of the Republic of Korea.

Senate

Chamber Action

Routine Proceedings, pages S6473–S6563

Measures Introduced: Fourteen bills and three resolutions were introduced, as follows: S. 1700–1713, S. Res. 293, and S. Con. Res. 30–31. **Pages S6505–06**

Measures Reported:

S. 1301, to authorize appropriations for fiscal years 2012 to 2015 for the Trafficking Victims Protection Act of 2000, to enhance measures to combat trafficking in person, with an amendment in the nature of a substitute. **Page S6505**

Measures Passed:

Enrollment Correction: Senate agreed to S. Con. Res. 31, directing the Secretary of the Senate to make a correction in the enrollment of S. 1280. **Page S6562**

Underground Railroad Memorial 10-year Commemoration: Senate agreed to S. Res. 293, celebrating the 10-year commemoration of the Underground Railroad Memorial, comprised of the Gateway to Freedom Monument in Detroit, Michigan and the Tower of Freedom Monument in Windsor, Ontario, Canada. **Page S6562**

Joint Meeting—Agreement: A unanimous-consent agreement was reached providing that the President of the Senate be authorized to appoint a committee on the part of the Senate to join with a like committee on the part of the House of Representatives to escort His Excellency Lee Myung-bak, President of the Republic of Korea, into the House Chamber for the joint meeting at 4 p.m., on Thursday, October 13, 2011. **Page S6484**

Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act—Agreement: A unanimous-consent agreement was reached providing that at 4 p.m., on Monday, October 17, 2011, Senate begin consider-

ation of H.R. 2112, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2012; that the committee amendment be withdrawn and that the Chairman of the Committee on Appropriations, or his designee, be recognized to offer Amendment No. 738 which consists of the text of the withdrawn amendment as Division A, the text of S. 1572, making appropriations for Departments of Commerce and Justice, and Science, and Related Agencies for the fiscal year ending September 30, 2012, as Division B, and the text of S. 1596, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2012, as Division C; provided further, that H.R. 2596, making appropriations for Departments of Commerce and Justice, and Science, and Related Agencies for the fiscal year ending September 30, 2012, as reported by the House Appropriations Committee, and Division C of Amendment No. 738 be deemed House passed text in H.R. 2112 for purposes of Rule XVI; and, that Amendment No. 738 for the purpose of paragraph 1 of Rule XVI be considered a committee amendment. **Pages S6561–62**

Higginbottom Nomination—Agreement: A unanimous-consent-time agreement was reached providing that at a time to be determined by the Majority Leader, in consultation with the Republican Leader, Senate begin consideration of the nomination of Heather A. Higginbottom, of the District of Columbia, to be Deputy Director of the Office of Management and Budget, that there be four hours 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 nomination, and that no further motions be in order to the nomination. **Page S6497**

Bissoon Nomination—Agreement: A unanimous-consent-time agreement was reached providing that at 5:15 p.m., on Monday, October 17, 2011, Senate begin consideration of the nomination of Cathy Bissoon, of Pennsylvania, to be United States District Judge for the Western District of Pennsylvania; that there be 15 minutes for debate equally divided, in the usual form; and that upon the use or yielding back of time, Senate vote without intervening action or debate on confirmation of the nomination.

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Nominations Confirmed: Senate confirmed the following nominations:

By 48 yeas to 44 nays (Vote No. EX. 164), Alison J. Nathan, of New York, to be United States District Judge for the Southern District of New York.

Pages S6484–94, S6563

By 83 yeas to 8 nays (Vote No. EX. 165), Susan Owens Hickey, of Arkansas, to be United States District Judge for the Western District of Arkansas.

Pages S6484–94, S6563

Katherine B. Forrest, of New York, to be United States District Judge for the Southern District of New York.

Pages S6484–94, S6563

Sung Y. Kim, of California, to be Ambassador to the Republic of Korea.

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Messages from the House: Page S6504

Measures Referred: Page S6504

Petitions and Memorials: Pages S6504–05

Executive Reports of Committees: Page S6505

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Statements on Introduced Bills/Resolutions: Pages S6507–16

Additional Statements: Pages S6503–04

Amendments Submitted: Pages S6516–61

Authorities for Committees to Meet: Page S6561

Privileges of the Floor: Page S6561

Record Votes: Two record votes were taken today. (Total—165) Pages S6493–94

Adjournment: Senate convened at 10 a.m. and adjourned at 6:24 p.m., until 2 p.m. on Monday, October 17, 2011. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S6563.)

Committee Meetings

(Committees not listed did not meet)

IRAN

Committee on Banking, Housing, and Urban Affairs: Committee concluded a hearing to examine address-

ing potential threats from Iran, focusing on Administration perspectives on implementing new economic sanctions one year later, including S. 1048, to expand sanctions imposed with respect to the Islamic Republic of Iran, North Korea, and Syria, after receiving testimony from Wendy Sherman, Under Secretary of State for Political Affairs; David S. Cohen, Under Secretary of the Treasury for Terrorism and Financial Intelligence; and David W. Mills, Assistant Secretary of Commerce for Export Enforcement.

INNOVATIVE PRACTICES TO CREATE JOBS AND REDUCE POLLUTION

Committee on Environment and Public Works: Subcommittee on Green Jobs and the New Economy concluded a hearing to examine innovative practices to create jobs and reduce pollution, after receiving testimony from Phil Schoen, Geothermal Exchange Organization (GEO-Enterprises), Catoosa, Oklahoma; Kyle W. Kempf, National Small Business Association (NSBA), and Anne E. Smith, NERA Economic Consulting, both of Washington, D.C.; Edward White, Jr., National Grid, Waltham, Massachusetts; and Steve Rowlan, Nucor Corporation, Charlotte, North Carolina.

CARCIERI CRISIS

Committee on Indian Affairs: Committee concluded an oversight hearing to examine the Carcieri crisis, focusing on the ripple effect on jobs, economic development and public safety in native communities, after receiving testimony from Representative Cole; Larry Echo Hawk, Assistant Secretary for Indian Affairs, Donald Laverdure, Principal Deputy Assistant Secretary for Indian Affairs, and Jodi Gillette, Deputy Assistant Secretary for Indian Affairs, all of the Department of the Interior; Richard A. Guest, Native American Rights Fund, Washington, D.C.; Colette Routel, William Mitchell College of Law, St. Paul, Minnesota; William Lomax, Native American Finance Officers Association, Phoenix, Arizona; and Carl J. Artman, Arizona State University College of Law, Tempe.

BUSINESS MEETING

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

S. 1301, to authorize appropriations for fiscal years 2012 to 2015 for the Trafficking Victims Protection Act of 2000, to enhance measures to combat trafficking in person, with amendments;

H.R. 368, to amend title 28, United States Code, to clarify and improve certain provisions relating to the removal of litigation against Federal officers or agencies to Federal courts;

S. 1636, to amend title 28, United States Code, to clarify the jurisdiction of the Federal courts;

H.R. 394, to amend title 28, United States Code, to clarify the jurisdiction of the Federal courts, with an amendment;

S. 1637, to clarify appeal time limits in civil actions to which United States officers or employees are parties;

H.R. 2633, to amend title 28, United States Code, to clarify the time limits for appeals in civil cases to which United States officers or employees are parties;

S. 1014, to provide for additional Federal district judgeships, with an amendment; and

The nominations of Adalberto Jose Jordan, of Florida, to be United States Circuit Judge for the Eleventh Circuit; John M. Gerrard, to be United States District Judge for the District of Nebraska; Mary Elizabeth Phillips, to be United States District Judge for the Western District of Missouri; Thomas Owen Rice, to be United States District Judge for the Eastern District of Washington; David Nuffer, to be United States District Judge for the District of Utah; and Steven R. Frank, to be United States Marshal for the Western District of Pennsylvania; Martin J. Pane, to be United States Marshal for the Middle District of Pennsylvania; and David Blake

Webb, to be United States Marshal for the Eastern District of Pennsylvania, all of the Department of Justice.

ARBITRATION

Committee on the Judiciary: Committee concluded a hearing to examine arbitration, including S. 987, to amend title 9 of the United States Code with respect to arbitration, and S. 1652, to amend title 9 of the United States Code to prohibit mandatory arbitration clauses in contracts for mobile service, after receiving testimony from Lori Swanson, Minnesota Attorney General, St. Paul; Deborah L. Pierce, Einstein at Elkins Park Hospital, Elkins Park, Pennsylvania; F. Paul Bland, Chavez and Gertler, and Victor E. Schwartz, Shook, Hardy, and Bacon, LLP, on behalf of the U.S. Chamber of Commerce and the U.S. Chamber Institute for Legal Reform, both of Washington, D.C.; and Christopher R. Drahozal, University of Kansas School of Law, Lawrence.

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: 26 public bills, H.R. 3176–3201, and 2 resolutions, H. Res. 434–437, were introduced. **Pages H6919–20**

Additional Cosponsors: **Pages H6921–22**

Reports Filed: There were no reports filed today.

Speaker: Read a letter from the Speaker wherein he appointed Representative Palazzo to act as Speaker pro tempore for today. **Page H6857**

Recess: The House recessed at 10:44 a.m. and reconvened at 11:30 a.m. **Page H6865**

Chaplain: The prayer was offered by the guest chaplain, Reverend Jesse Reyes, San Jose Catholic Church, Saipan, Northern Mariana Islands. **Page H6865**

Protect Life Act: The House passed H.R. 358, to amend the Patient Protection and Affordable Care Act to modify special rules relating to coverage of

abortion services under such Act, by a recorded vote of 251 ayes to 172 noes, Roll No. 789.

Pages H6885–H6903

Rejected the Capps motion to recommit the bill to the Committee on Energy and Commerce with instructions to report the same to the House forthwith with an amendment, by a yea-and-nay vote of 173 yeas to 249 nays, Roll No. 788. **Pages H6901–03**

Pursuant to the rule, the amendment in the nature of a substitute recommended by the Committee on Energy and Commerce now printed in the bill shall be considered as adopted. **Page H6886**

H. Res. 430, the rule providing for consideration of the bill, was agreed to by a yea-and-nay vote of 248 yeas to 173 nays, Roll No. 786, after the previous question was ordered without objection. **Pages H6869–81**

A point of order was raised against the consideration of H. Res. 430 and it was agreed to proceed with consideration of the resolution by voice vote. **Pages H6869–71**

EPA Regulatory Relief Act of 2011: The House passed H.R. 2250, to provide additional time for the

Administrator of the Environmental Protection Agency to issue achievable standards for industrial, commercial, and institutional boilers, process heaters, and incinerators, by a recorded vote of 275 ayes to 142 noes, Roll No. 791. Consideration of the measure began on October 6th. **Pages H6881–82, H6903–06**

Rejected the Castor motion to recommit the bill to the Committee on Energy and Commerce with instructions to report the same to the House forthwith with an amendment, by a recorded vote of 170 ayes to 246 noes, Roll No. 790. **Pages H6903–05**

Rejected:

Cohen amendment (No. 22 printed in the Congressional Record of October 4, 2011) that was debated on October 12th that sought to insert a subparagraph relating to potential reductions in the number of illness-related absences from work due to respiratory or other illnesses (by a recorded vote of 174 ayes to 250 noes, Roll No. 787). **Pages H6881–82**

H. Res. 419, the rule providing for consideration of the bills (H.R. 2681) and (H.R. 2250) was agreed to on October 4th.

Recess: The House recessed at 2:27 p.m. for the purpose of receiving His Excellency Lee Myung-bak, President of the Republic of Korea. The House reconvened at 5:19 p.m., and agreed that the proceedings had during the Joint Meeting be printed in the Record. **Pages H6882, H6885**

Joint Meeting To Receive His Excellency Lee Myung-bak, President of the Republic of Korea: The House and Senate met in a joint session to receive His Excellency Lee Myung-bak, President of the Republic of Korea. He was escorted into the Chamber by a committee comprised of Representatives Cantor, McCarthy (CA), Hensarling, Dreier, Ros-Lehtinen, Camp, McKeon, Manzullo, Royce, Brady (TX), Granger, Reichert, Pelosi, Hoyer, Larson (CT), Becerra, Van Hollen, Rangel, Conyers, Ackerman, Loretta Sanchez, Schwartz, Levin, and Matsui; and Senators Reid, Begich, Kerry, Webb, McConnell, Alexander, Barrasso, Thune, Cornyn, Lugar, and Portman. **Pages H6882–85**

Senate Message: Message received from the Senate by the Clerk and subsequently presented to the House today appears on page H6865.

Quorum Calls—Votes: Two yea-and-nay votes and four recorded votes developed during the proceedings of today and appear on pages H6881, H6881–82, H6902–03, H6903, H6905, and H6905–06. There were no quorum calls.

Adjournment: The House met at 9:30 a.m. and adjourned at 9:59 p.m.

Committee Meetings

NATIONAL DEFENSE AND U.S. MILITARY ASSESSMENT

Committee on Armed Services: held a hearing entitled “The Future of National Defense and the U.S. Military Ten Years After 9/11: Perspectives of Secretary of Defense Leon Panetta and Chairman of the Joint Chiefs of Staff Martin Dempsey.” Testimony was heard from Leon Panetta, Secretary, Department of Defense and, General Martin Dempsey, USA, Chairman, Joint Chiefs of Staff.

AERIAL REFUELING AIRCRAFT PROGRAMS

Committee on Armed Services: Subcommittee on Seapower and Projection Forces, held a hearing on an update on KC-46A and legacy aerial refueling aircraft programs. Testimony was heard from the following officials of Department of Defense: Shay Assad, Director, Defense Procurement, Acquisition Policy and Strategic Sourcing, Under Secretary of Defense for Acquisition, Technology and Logistics, David M. Van Buren, Service Acquisition Executive, U.S. Air Force; Major General Bruce Litchfield, Special Assistant to the Commander, Air Force Materiel Command, U.S. Air Force; Major General Christopher C. Bogdan, Program Executive Officer, KC-46 Tanker Modernization Directorate, U.S. Air Force.

EMPLOYER PROVIDED HEALTH CARE

Committee on Education and the Workforce: Subcommittee on Health, Employment, Labor, and Pensions, held a hearing entitled, hearing entitled “Regulations, Costs, and Uncertainty in Employer Provided Health Care.” Testimony was heard from public witnesses.

CONSUMER ATTITUDES ON PRIVACY

Committee on Energy and Commerce: Subcommittee on Commerce, Manufacturing, and Trade, held a hearing entitled “Understanding Consumer Attitudes About Privacy.” Testimony was heard from public witnesses.

AMERICAN ENERGY INITIATIVE

Committee on Energy and Commerce: Subcommittee on Energy and Power, held a hearing on The American Energy Initiative: Electric Transmission Issues, Including Topics Related to the Sitting, Planning, and Allocation of Costs for Electricity Transmission Infrastructure. Testimony was heard from the following officials of the Department of Energy: Jon Wellinghoff, Chairman, Federal Energy Regulatory Commission; Lauren Azar, Senior Advisor, Office of the Secretary, and public witnesses.

U.S. HOUSING FINANCE SYSTEM IN THE GLOBAL CONTEX

Committee on Financial Services: Subcommittee on International Monetary Policy and Trade held a hearing entitled “The U.S. Housing Finance System in the Global Context: Structure, Capital Sources, and Housing Dynamics.” Testimony was heard from public witnesses.

THE SECTION 8 SAVINGS ACT OF 2011

Committee on Financial Services: Subcommittee on Insurance, Housing and Community Opportunity, held a hearing entitled “The Section 8 Savings Act of 2011: Proposals to Promote Economic Independence for Assisted Families.” Testimony was heard from public witnesses.

THREATS AND SECURITY IN THE WESTERN HEMISPHERE

Committee on Foreign Affairs: Held a hearing entitled “Emerging Threats and Security in the Western Hemisphere: Next Steps for U.S. Policy.” Testimony was heard from the following officials with the Department of State: William R. Brownfield, Assistant Secretary, Bureau of International Narcotics and Law Enforcement Affairs, and Philip S. Goldberg, Assistant Secretary, Bureau of Intelligence and Research; Daniel L. Glaser, Assistant Secretary for Terrorist Financing, Office of Terrorism and Financial Intelligence, U.S. Department of Treasury; Paul N. Stockton, Assistant Secretary of Defense for Homeland Defense and Americas’ Security Affairs, U.S. Department of Defense.

UNITED NATIONS TRANSPARENCY, ACCOUNTABILITY AND REFORM ACT

Committee on Foreign Affairs: Ordered reported H.R. 2829 to promote transparency, accountability, and reform within the United Nations system.

DEPARTMENT OF HOMELAND SECURITY AUTHORIZATION ACT FOR FISCAL YEAR 2012

Committee on Homeland Security: Ordered reported, as amended, H.R. 3116, “Department of Homeland Security Authorization Act for Fiscal Year 2012.”

TSA TECHNOLOGY PROCUREMENT AND JOB GROWTH

Committee on Homeland Security: Subcommittee on Transportation Security continued hearings entitled “TSA Reform: Exploring Innovations in Technology

Procurement to Stimulate Job Growth, Part II.” Testimony was heard from public witnesses.

TO AMEND SECTION 2710 OF TITLE 18, UNITED STATES CODE, TO CLARIFY THAT A VIDEO TAPE SERVICE PROVIDER MAY OBTAIN A CONSUMER’S INFORMED, WRITTEN CONSENT ON AN ONGOING BASIS AND THAT CONSENT MAY BE OBTAINED THROUGH THE INTERNET

Committee on the Judiciary: Ordered reported, amended, H.R. 2471 to amend section 2710 of title 18, United States Code, to clarify that a video tape service provider may obtain a consumer’s informed, written consent on an ongoing basis and that consent may be obtained through the Internet.

GULF COAST OIL SPILL INVESTIGATION REPORT

Committee on Natural Resources: Hearing entitled “BOEMRE/U.S. Coast Guard Joint Investigation Team Report.” Testimony was heard from the following officials of the U.S. Coast Guard: Captain Hung Nguyen, Co-Chair of the Joint Investigation Team, Vice Admiral Brian M. Salerno, Deputy Commandant for Operations, and Michael Bromwich, Director, Bureau of Safety and Environmental Enforcement, U.S. Department of the Interior, and public witnesses.

POSTAL REFORM ACT

Committee on Oversight and Government Reform: Ordered reported, amended, H.R. 2309 Postal Reform Act of 2011.

THE ENDANGERED SPECIES ACT REVIEW

Committee on Science, Space, and Technology: Subcommittee on Investigations and Oversight held a hearing entitled “The Endangered Species Act: Reviewing the Nexus of Science and Policy.” Testimony was heard from Gary Frazer, Assistant Director, Endangered Species, U.S. Fish and Wildlife Service, Department of the Interior, and public witnesses.

ADVANCING COAL RESEARCH AND DEVELOPMENT FOR A SECURE ENERGY FUTURE

Committee on Science, Space, and Technology: Subcommittee on Energy and Environment held a hearing entitled “Advancing Coal Research and Development for a Secure Energy Future.” Testimony was heard from public witnesses.

STREAMLINING EMERGENCY MANAGEMENT: IMPROVING PREPAREDNESS, RESPONSE, AND CUTTING COSTS

Committee on Transportation and Infrastructure: Subcommittee on Economic Development, Public Buildings, and Emergency Management held a hearing entitled “Streamlining Emergency Management: Improving Preparedness, Response, and Cutting Costs.” Testimony was heard from W. Craig Fugate, Administrator, Federal Emergency Management Agency, Matthew A. Jadacki, Assistant Inspector General, Emergency Management Oversight, Department of Homeland Security, Dean Hunter, Deputy Director, Facilities, Security, and Contracting, U.S. Office of Personnel Management, and public witnesses.

MISCELLANEOUS MEASURES

Committee on Transportation and Infrastructure: Ordered reported the following bills: H.R. 2668 “Brian A. Terry Memorial Act”; H.R. 2919 “Community Shelter Protection Act of 2011”; H.R. 1734 amended, “Civilian Property Realignment Act”; and H.R. 2840 amended, “Commercial Vessel Discharges Reform Act of 2011.” 11:15 a.m., 2167 Rayburn.

MISCELLANEOUS MEASURES

Committee on Ways and Means: Ordered reported the following bills: 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, and H.R. 2576, to amend the Internal Revenue Code of 1986 to modify the calculation of modified adjusted gross income for purposes of determining eligibility for certain healthcare-related programs.

Joint Meetings

POLITICAL TRANSITION IN TUNISIA

Commission on Security and Cooperation in Europe. Commission concluded a briefing on elections and political transition in Tunisia, focusing on Tunisia’s mass popular uprising, known as the “Jasmine Revolution,” after receiving testimony from Stephen

McInerney, Project on Middle East Democracy (POMED), Barrie Freeman, National Democratic Institute (NDI), and Mohamed Malouche, Tunisian American Young Professionals, all of Washington, D.C.

**COMMITTEE MEETINGS FOR FRIDAY,
OCTOBER 14, 2011**

(Committee meetings are open unless otherwise indicated)

Senate

No meetings/hearings scheduled.

House

Committee on Armed Services, Subcommittee on Strategic Forces, hearing entitled “Nuclear Weapons Modernization in Russia and China: Understanding Impacts to the United States.” 11:30 p.m., 2212 Rayburn.

Committee on Energy and Commerce, Subcommittee on Oversight and Investigations, hearing entitled “Continuing Developments Regarding the Solyndra Loan Guarantee.” 9:30 a.m., 2123 Rayburn.

Committee on Financial Services, Subcommittee on Capital Markets and Government Sponsored Enterprises, hearing entitled “Legislative Proposals to Bring Certainty to the Over-the-Counter Derivatives Market.” 9 a.m., 2128 Rayburn.

Committee on Foreign Affairs, Full Committee hearing on Iran and Syria: Next Steps? Part II. 9:30 a.m., 2172 Rayburn.

Committee on Homeland Security, Subcommittee on Oversight, Investigations, and Management, hearing entitled “A Call to Action: Narco-Terrorism’s Threat to the Southern U.S. Border.” 10 a.m., 311 Cannon.

Committee on the Judiciary, Full Committee, to continue markup of the following: H.R. 2870 “Adam Walsh Reauthorization Act of 2011”; H.R. 1254 “Synthetic Drug Control Act of 2011”; H.R. 10 “Regulations From the Executive in Need of Scrutiny Act of 2011”; H.R. 822 “National Right-to-Carry Reciprocity Act of 2011”; and H.R. 3012 “Fairness for High-Skilled Immigrants Act”. 10 a.m., 2141 Rayburn.

Committee on Natural Resources, Subcommittee on National Parks, Forests and Public Lands, hearing entitled “Payments in Lieu of Taxes.” 10 a.m., 1324 Longworth.

Next Meeting of the SENATE

2 p.m., Monday, October 17

Next Meeting of the HOUSE OF REPRESENTATIVES

9 a.m., Friday, October 14

Senate Chamber

Program for Monday: After the transaction of any morning business (not to extend beyond 4 p.m.), Senate will begin consideration of H.R. 2112, Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act. At 5:15 p.m., Senate will begin consideration of the nomination of Cathy Bissoon, of Pennsylvania, to be United States District Judge for the Western District of Pennsylvania, and vote on confirmation of the nomination at approximately 5:30 p.m.

House Chamber

Program for Friday: Consideration of H.R. 2273—Coal Residuals Reuse and Management Act (Subject to a Rule).

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