Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S721–S790

Measures Introduced: Fifty bills and three resolutions were introduced, as follows: S. 324–373, and S. Res. 35–37. **Pages S772–74**

Measures Reported:

H.R. 307, to reauthorize certain programs under the Public Health Service Act and the Federal Food, Drug, and Cosmetic Act with respect to public health security and all-hazards preparedness and response, with an amendment in the nature of a substitute.

S. Res. 12, recognizing the third anniversary of the tragic earthquake in Haiti on January 12, 2010, honoring those who lost their lives in that earthquake, and expressing continued solidarity with the people of Haiti, with an amendment and with an amended preamble.

S. 252, to reduce preterm labor and delivery and the risk of pregnancy-related deaths and complications due to pregnancy, and to reduce infant mortality caused by prematurity.

S. 298, to prevent nuclear proliferation in North Korea, with amendments. **Page S771**

Measures Passed:

National Solidarity Day for Compassionate Patient Care: Committee on the Judiciary was discharged from further consideration of S. Res. 21, designating February 14, 2013, as ''National Solidarity Day for Compassionate Patient Care'', and the resolution was then agreed to, after agreeing to the following amendment proposed thereto: **Pages S788–89**

Reid (for Lautenberg) Amendment No. 22, of a perfecting nature. **Pages S788–89**

Congratulating the Baltimore Ravens: Senate agreed to S. Res. 35, congratulating the Baltimore Ravens for winning Super Bowl XLVII. **Pages S789–90**

Centennial of Mosaic: Senate agreed to S. Res. 36, recognizing February 19, 2013 as the centennial of Mosaic, a faith-based organization that was founded in Nebraska and now serves more than 3,600 individuals with intellectual disabilities in 10 States. **Page S790**

Adjournment Resolution—Agreement: A unanimous-consent agreement was reached providing that if the Senate receives an adjournment resolution from the House, identical to the text which is at the desk, the concurrent resolution be considered agreed to, with no intervening action or debate. **Page S790**

Sequester—Agreement: A unanimous-consent agreement was reached providing that on either Monday, February 25, 2013, or on Tuesday, February 26, 2013, the Majority Leader and the Republican Leader each be permitted to introduce a bill to replace the sequester required under the Budget Control Act; that if a Leader introduces such legislation, his bill be placed directly on the Legislative Calendar; and that motions to proceed to these bills be in order the day they are introduced. **Page S790**

Authorizing Leadership To Make Appointments—Agreement: A unanimous-consent agreement was reached providing that notwithstanding the upcoming recess or adjournment of the Senate, the President of the Senate, the President Pro Tempore, and the Majority and Minority Leaders be authorized to make appointments to commissions, committees, boards, conferences, or interparliamentary conferences authorized by law, by concurrent action of the two Houses, or by order of the Senate. **Page S790**

Signing Authority—Agreement: A unanimous-consent agreement was reached providing that from Friday, February 15, 2013 through Monday, February 25, 2013, Senator Levin be authorized to sign duly enrolled bills or joint resolutions. **Page S790**

Pro Forma—Agreement: A unanimous-consent agreement was reached providing that when the Senate completes its business today, it adjourn, and convene for pro forma sessions only with no business conducted on the following dates and times and that following each pro forma session, the Senate adjourn until the next pro forma session: Friday, February 15, 2013 at 12 p.m.; Tuesday, February 19, 2013 at 10:30 a.m.; and Friday, February 22, 2013 at 10:45 a.m.; and that the Senate adjourn on Friday,

February 22, 2013, until 2 p.m., on Monday, February 25, 2013, unless the Senate adopts an adjournment resolution pursuant to the previous order and that if the Senate adopts such a resolution, Senate adjourn until 2 p.m., on Monday, February 25, 2013. **Page S790**

Hagel Nomination: Senate continued consideration of the nomination of Charles Timothy Hagel, of Nebraska, to be Secretary of Defense. **Pages S723–53**

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

By 58 yeas to 40 nays, 1 responding present (Vote No. 21), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to close further debate on the nomination. **Page S747**

Subsequently, Senator Reid entered a motion to reconsider the vote by which cloture was not invoked on the nomination. **Page S747**

Bacharach Nomination—Agreement: A unanimous-consent-time agreement was reached providing that at 5 p.m., on Monday, February 25, 2013, Senate begin consideration of the nomination of Robert E. Bacharach, of Oklahoma, to be United States Circuit Judge for the Tenth Circuit; that there be 30 minutes for debate, equally divided in the usual form; that upon 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. **Page S754**

Messages from the House: **Page S771**

Measures Referred: **Page S771**

Executive Reports of Committees: **Pages S771–72**

Additional Cosponsors: **Page S774**

Statements on Introduced Bills/Resolutions: **Pages S774–88**

Additional Statements: **Pages S766–71**

Amendments Submitted: **Page S788**

Authorities for Committees to Meet: **Page S788**

Record Votes: One record vote was taken today. (Total—21) **Page S747**

Adjournment: Senate convened at 10 a.m. and adjourned at 6:57 p.m., until 12 p.m. on Friday, February 15, 2013. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S790.)

Committee Meetings

(Committees not listed did not meet)

BUSINESS MEETING

Committee on Agriculture, Nutrition, and Forestry: Committee adopted its rules of procedure for the 113th Congress and announced the following subcommittee assignments:

Subcommittee on Commodities, Markets, Trade and Risk Management: Senators Donnelly (Chair), Baucus, Heitkamp, Harkin, Brown, Gillibrand, Chambliss, Roberts, Boozman, Hoeven, and Johanns.

Subcommittee on Jobs, Rural Economic Growth and Energy Innovation: Senators Heitkamp (Chair), Brown, Klobuchar, Bennet, Donnelly, Cowan, Johanns, Hoeven, Grassley, Thune, and Boozman.

Subcommittee on Conservation, Forestry and Natural Resources: Senators Bennet (Chair), Harkin, Klobuchar, Leahy, Baucus, Heitkamp, Boozman, McConnell, Chambliss, Thune, and Roberts.

Subcommittee on Nutrition, Specialty Crops, Food and Agriculture Research: Senators Cowan (Chair), Leahy, Harkin, Brown, Gillibrand, Bennet, Hoeven, McConnell, Chambliss, Grassley, and Thune.

Subcommittee on Livestock, Dairy, Poultry, Marketing and Agriculture Security: Senators Gillibrand (Chair), Leahy, Baucus, Klobuchar, Donnelly, Cowan, Roberts, McConnell, Boozman, Johanns, and Grassley.

Senators Stabenow and Cochran are ex officio members of each subcommittee.

ECONOMICS OF DISASTERS FOR AMERICA'S AGRICULTURE PRODUCERS

Committee on Agriculture, Nutrition, and Forestry: Committee concluded a hearing to examine drought, fire, and freeze, focusing on the economics of disasters for America's agricultural producers, after receiving testimony from Roger S. Pulwarty, National Integrated Drought Information System, National Oceanic and Atmospheric Administration, Department of Commerce; Joseph Glauber, Chief Economist, Department of Agriculture; Leon LaSalle, LaSalle Ranch Incorporated, Havre, Montana; Anngie Steinbarger, Edinburgh, Indiana; Jeff Send, Leelanau, Michigan; and Ben Steffen, Humboldt, Nebraska.

IMPACTS OF SEQUESTRATION

Committee on Appropriations: Committee concluded a hearing to examine the impacts of sequestration, after receiving testimony from Daniel I. Werfel, Controller, Office of Management and Budget; Arne Duncan, Secretary of Education; Janet Napolitano, Secretary of Homeland Security; Shaun Donovan,

Secretary of Housing and Urban Development; and Ashton B. Carter, Deputy Secretary of Defense.

NOMINATIONS

Committee on Armed Services: Committee concluded a hearing to examine the nominations of General Lloyd J. Austin III, USA, for reappointment to the grade of general and to be Commander, United States Central Command, and General David M. Rodriguez, USA, for reappointment to the grade of general and to be Commander, United States Africa Command, both of the Department of Defense, after the nominees testified and answered questions in their own behalf.

WALL STREET REFORM

Committee on Banking, Housing, and Urban Affairs: Committee concluded a hearing to examine Wall Street reform, focusing on oversight of financial stability and consumer and investor protections, after receiving testimony from Mary J. Miller, Under Secretary, and Thomas J. Curry, Comptroller of the Currency, both of the Department of the Treasury; Daniel K. Tarullo, Governor, Board of Governors of the Federal Reserve System; Martin J. Gruenberg, Chairman, Federal Deposit Insurance Corporation; Richard Cordray, Director, Consumer Financial Protection Bureau; Elisse B. Walter, Chairman, United States Securities and Exchange Commission; and Gary Gensler, Chairman, Commodity Futures Trading Commission.

BUSINESS MEETING

Committee on Environment and Public Works: Committee adopted its rules of procedure for the 113th Congress and announced the following subcommittee assignments:

Subcommittee on Transportation and Infrastructure: Senators Baucus (Chair), Carper, Lautenberg, Cardin, Sanders, Udall (NM), Gillibrand, Barrasso, Inhofe, Sessions, Crapo, Wicker, and Fischer.

Subcommittee on Clean Air and Nuclear Safety: Senators Carper (Chair), Baucus, Cardin, Sanders, Whitehouse, Udall (NM), Sessions, Barrasso, Crapo, Wicker, and Boozman.

Subcommittee on Water and Wildlife: Senators Cardin (Chair), Carper, Lautenberg, Whitehouse, Merkley, Gillibrand, Boozman, Inhofe, Barrasso, Sessions, and Fischer.

Subcommittee on Superfund, Toxics and Environmental Health: Senators Udall (NM) (Chair), Baucus, Lautenberg, Merkley, Gillibrand, Crapo, Inhofe, Wicker, and Fischer.

Subcommittee on Green Jobs and the New Economy: Senators Merkley (Chair), Carper, Sanders, Wicker, and Sessions.

Subcommittee on Oversight: Senators Whitehouse (Chair), Baucus, Lautenberg, Inhofe, and Boozman.

Senators Boxer and Vitter are ex officio members of each subcommittee.

HEALTH INSURANCE EXCHANGES

Committee on Finance: Committee concluded a hearing to examine health insurance exchanges, focusing on a progress report, after receiving testimony from Gary Cohen, Deputy Administrator and Director, Center for Consumer Information and Insurance Oversight, Centers for Medicare and Medicaid Services, Department of Health and Human Services; Don Hughes, Health Care Policy Advisor to the Governor and Arizona Exchange Executive Director, Phoenix; Christine Ferguson, Rhode Island Health Benefits Exchange Director, Providence; and Bettina Tweardy Riveros, Advisor to the Governor and Chair of the Delaware Health Care Commission, Wilmington.

BUSINESS MEETING

Committee on Foreign Relations: Committee ordered favorably reported S. 298, to prevent nuclear proliferation in North Korea, with amendments.

BUSINESS MEETING

Committee on Homeland Security and Governmental Affairs: Committee announced the following subcommittee assignments for the 113th Congress:

Permanent Subcommittee on Investigations: Senators Levin (Chair), Pryor, Landrieu, McCaskill, Tester, Baldwin, Heitkamp, McCain, Johnson (WI), Portman, Paul, and Ayotte.

Subcommittee on Financial and Contracting Oversight: Senators McCaskill (Chair), Levin, Pryor, Landrieu, Begich, Baldwin, Johnson (WI), McCain, Enzi, and Ayotte.

Subcommittee on the Efficiency and Effectiveness of Federal Programs and the Federal Workforce: Senators Tester (Chair), Pryor, McCaskill, Begich, Baldwin, Heitkamp, Portman, Johnson (WI), Paul, and Enzi.

Subcommittee on Emergency Management, Intergovernmental Relations, and the District of Columbia: Senators Begich (Chair), Levin, Pryor, Landrieu, Tester, Heitkamp, Paul, McCain, Portman, and Enzi.

Senators Levin and Coburn are ex officio members of each subcommittee.

BUSINESS MEETING

Committee on the Judiciary: Committee ordered favorably reported the nominations of Caitlin Joan Halligan, of New York, to be United States Circuit Judge for the District of Columbia Circuit, Patty Shwartz, of New Jersey, to be United States Circuit Judge for the Third Circuit, Pamela Ki Mai Chen,

to be United States District Judge for the Eastern District of New York, Katherine Polk Failla, and Analisa Torres, both to be a United States District Judge for the Southern District of New York, Andrew Patrick Gordon, to be United States District Judge for the District of Nevada, Ketanji Brown Jackson, of Maryland, to be United States District Judge for the District of Columbia, Raymond P. Moore, to be United States District Judge for the District of Colorado, Troy L. Nunley, to be United States District Judge for the Eastern District of California, Beverly Reid O'Connell, to be United States District Judge for the Central District of California, Derrick Kahala Watson, to be United States District Judge for the District of Hawaii, and Mark A. Barnett, of Virginia, and Claire R. Kelly, of New York, both to be a Judge of the United States Court of International Trade.

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: 59 public bills, H.R. 625, 683–740; and 6 resolutions, H.J. Res. 29–31; and H. Res. 69–71 were introduced. **Pages H544–50**

Additional Cosponsors: **Page H550**

Reports Filed: There were no reports filed today.

Speaker: Read a letter from the Speaker wherein he appointed Representative Collins (NY) to act as Speaker pro tempore for today. **Page H505**

Recess: The House recessed at 11:03 a.m. and reconvened at 12 noon. **Page H514**

Recess: The House recessed at 12:22 p.m. and reconvened at 1:30 p.m. **Page H516**

Eliminating the 2013 statutory pay adjustment for Federal employees—Rule for Consideration: The House agreed to H. Res. 66, the rule that is providing for consideration of H.R. 273, to eliminate the 2013 statutory pay adjustment for Federal employees, by a yea-and-nay vote of 227 yeas to 192 nays, Roll No. 42, after the previous question was ordered by a yea-and-nay vote of 229 yeas to 194 nays, Roll No. 41. **Pages H516–29**

A point of order was raised against the consideration of H. Res. 66 and it was agreed to proceed with consideration of the resolution by voice vote. **Pages H517–19**

Joint Economic Committee—Appointment: The Chair announced the Speaker's appointment of the following Members on the part of the House to the Joint Economic Committee: Representatives Campbell, Duffy, Amash, Paulsen, Hanna, Loretta Sanchez, Cummings, and Delaney. **Page H529**

Quorum Calls—Votes: Two yea-and-nay votes developed during the proceedings of today and appear on pages H528–29. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 5:44 p.m.

Committee Meetings

ENERGY AND WATER DEVELOPMENT, AND RELATED AGENCIES

Committee on Appropriations: Subcommittee on Energy and Water Development, and Related Agencies held a hearing entitled "National Nuclear Administration (NNSA), Weapons Activities Budget". Testimony was heard from Neile Miller, Acting Administrator, National Nuclear Security Administration; Don Cook, Deputy Administrator for Defense Programs, National Nuclear Security Administration; and Col. James Dawkins, Deputy Administrator for Military Application, National Nuclear Security Administration.

STATE, FOREIGN OPERATIONS, AND RELATED PROGRAMS

Committee on Appropriations: Subcommittee on State, Foreign Operations, and Related Programs held a hearing entitled "Embassy Security". Testimony was heard from Patrick Kennedy, Under Secretary of Secretary for Management, Department of State. This was a closed hearing.

BUILDING PARTNERSHIP CAPACITY PROGRAMS AND AUTHORITIES TO MEET 21ST CENTURY CHALLENGES

Committee on Armed Services: Full Committee held a hearing entitled "Framework for Building Partnership Capacity Programs and Authorities to Meet 21st Century Challenges". Testimony was heard

from Michael Sheehan, Assistant Secretary of Defense for Special Operations and Low Intensity Conflict, Department of Defense; Janet St. Laurent, Managing Director, Defense Capabilities and Management Team, Government Accountability Office; and Lieutenant General Terry Wolff, USA, Director, Strategic Plans and Policy, Joint Staff, Department of Defense.

HOW EDUCATION INNOVATION CAN IMPROVE STUDENT ACHIEVEMENT

Committee on Education and the Workforce: Subcommittee on Early Childhood, Elementary, and Secondary Education held a hearing entitled ''Raising the Bar: How Education Innovation Can Improve Student Achievement''. Testimony was heard Jim Shelton, Assistant Deputy Secretary for Innovation and Improvement, Department of Education; and public witnesses.

SEQUESTRATION: EXAMINING EMPLOYERS' WARN ACT RESPONSIBILITIES

Committee on Education and the Workforce: Subcommittee on Workforce Protections held a hearing entitled ''Sequestration: Examining Employers' WARN Act Responsibilities''. Testimony was heard from Jane Oates Assistant Secretary, Employment and Training Administration, Department of Labor; and public witnesses.

SGR: DATA, MEASURES AND MODELS; BUILDING A FUTURE MEDICARE PHYSICIAN PAYMENT SYSTEM

Committee on Energy and Commerce: Subcommittee on Health held a hearing entitled ''SGR: Data, Measures and Models; Building a Future Medicare Physician Payment System''. Testimony was heard from Glenn M. Hackbarth, Chairman, Medicare Payment Advisory Commission; and public witnesses.

OUR NATION OF BUILDERS: MANUFACTURING IN AMERICA

Committee on Energy and Commerce: Subcommittee on Commerce, Manufacturing, and Trade held a hearing entitled ''Our Nation of Builders: Manufacturing in America''. Testimony was heard from public witnesses.

BUSINESS MEETING

Committee on Financial Services: Full Committee began a meeting to adopt the Committee's Oversight Plan for the 113th Congress

CRISIS IN MALI: U.S. INTERESTS AND THE INTERNATIONAL RESPONSE

Committee on Foreign Affairs: Full Committee held a hearing entitled ''The Crisis in Mali: U.S. Interests and the International Response''. Testimony was heard from Johnnie Carson, Assistant Secretary, Bureau of African Affairs, Department of State; and Amanda Dory, Deputy Assistant Secretary for African Affairs, Office of the Secretary of Defense, Department of Defense.

BUSINESS MEETING

Committee on the Judiciary: Full Committee held a meeting to adopt the Judiciary Committee Oversight Plan for the 113th Congress. The Committee approved its 113th Congress Oversight Plan.

PAST, PRESENT AND FUTURE OF THE FEDERAL HELIUM PROGRAM; AND LEGISLATIVE MEASURE

Committee on Natural Resources: Full Committee held a hearing entitled ''The Past, Present and Future of the Federal Helium Program''; and H.R. 527, the ''Responsible Helium Administration and Stewardship Act''. Testimony was heard from Tim Spisak, Deputy Assistant Director, Minerals and Realty Management, Bureau of Land Management, Department of the Interior; Daniel Garcia-Diaz, Director, National Resources and Environment, Government Accountability Office; and Kimberly Elmore, Assistant Inspector General for Audits, Inspections, and Evaluations, Department of the Interior.

BUSINESS MEETING

Committee on Oversight and Government Reform: Full Committee held a business meeting to approve the Committee Report entitled ''Billions of Federal Tax Dollars Wasted Annually by New York's Medicaid Program''. The Committee approved the report, as amended.

EXPLORING GAO'S HIGH RISK LIST AND OPPORTUNITIES FOR REFORM

Committee on Oversight and Government Reform: Full Committee held a hearing entitled ''Exploring GAO's High Risk List and Opportunities for Reform''. Testimony was heard from Gene L. Dodaro, Comptroller General of the United States, Government Accountability Office.

EFFECTS OF RISING ENERGY COSTS ON AMERICAN FAMILIES AND EMPLOYERS

Committee on Oversight and Government Reform: Subcommittee on Energy Policy, Health and Entitlements held a hearing entitled ''The Effects of Rising Energy Costs on American Families and Employers''. Testimony was heard from public witnesses.

UNINTENDED CONSEQUENCES: IS GOVERNMENT EFFECTIVELY ADDRESSING THE UNEMPLOYMENT CRISIS?

Committee on Oversight and Government Reform: Subcommittee on Economic Growth, Job Creation and

Regulatory Affairs held a hearing entitled ''Unintended Consequences: Is Government Effectively Addressing the Unemployment Crisis?''. Testimony was heard from public witnesses.

STATE OF ENVIRONMENT: EVALUATING PROGRESS AND PRIORITIES

Committee on Science, Space, and Technology: Subcommittee on Environment held a hearing entitled ''The State of Environment: Evaluating Progress and Priorities''. Testimony was heard from public witnesses.

APPLICATIONS FOR INFORMATION TECHNOLOGY RESEARCH AND DEVELOPMENT

Committee on Science, Space, and Technology: Subcommittee on Research held a hearing entitled ''Applications for Information Technology Research and Development''. Testimony was heard from public witnesses.

POST 9/11 GI BILL CLAIMS PROCESSING ISSUES

Committee on Veterans' Affairs: Subcommittee on Economic Opportunity held a hearing entitled ''Post 9/11 GI Bill Claims Processing Issues''. Testimony was heard from Roger Baker, Assistant Secretary for Information and Technology, Department of Veterans Affairs; and public witnesses.

BUSINESS MEETING; AND TAX REFORM AND CHARITABLE CONTRIBUTIONS

Committee on Ways and Means: Full Committee held business meeting on the Committee's Oversight Plan for the 113th Congress; and hearing entitled ''Tax Reform and Charitable Contributions''. The Committee Oversight Letter for the 113th Congress was approved; and testimony was heard from public witnesses.

ADVANCED CYBER THREATS FACING OUR NATION

House Permanent Select Committee on Intelligence: Full Committee held a hearing entitled ''Advanced Cyber Threats Facing Our Nation''. Testimony was heard from public witnesses.

Joint Meetings

No joint committee meetings were held.

COMMITTEE MEETINGS FOR FRIDAY, FEBRUARY 15, 2013

(Committee meetings are open unless otherwise indicated)

Senate

No meetings/hearings scheduled.

House

Committee on Energy and Commerce: Subcommittee on Environment and the Economy, hearing entitled ''The Role of the States in Protecting the Environment Under Current Law'', 9:30 a.m., 2123 Rayburn.

Committee on Financial Services: Full Committee continued meeting to adopt the Committee's Oversight Plan for the 113th Congress, 10 a.m., 2128 Rayburn.

Committee on Homeland Security: Subcommittee on Oversight and Management Efficiency, hearing entitled ''Assessing DHS 10 Years Later: How Wisely is DHS Spending Taxpayer Dollars?'', 9 a.m., 311 Cannon.

Committee on Science, Space, and Technology: Subcommittee on Oversight, hearing entitled ''Operating Unmanned Aircraft Systems in the National Airspace System: Assessing Research and Development Efforts to Ensure Safety'', 10 a.m., 2318 Rayburn.

Next Meeting of the SENATE

12 p.m., Friday, February 15

Senate Chamber

Program for Friday: Senate will meet in a pro forma session.

Next Meeting of the HOUSE OF REPRESENTATIVES

9 a.m., Friday, February 15

House Chamber

Program for Friday: Complete consideration of H.R. 273—To eliminate the 2013 statutory pay adjustment for Federal employees. Consideration, under suspension of the rules, of H. Res. 65—Condemning the Government of North Korea for its flagrant and repeated violations of multiple United Nations Security Council resolutions, for its repeated provocations that threaten international peace and stability, and for its February 12, 2013, test of a nuclear device.

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