

Daily Digest

HIGHLIGHTS

Senate passed S. 23, Patent Reform Act, as amended.

Senate

Chamber Action

Routine Proceedings, pages S1335–S1414

Measures Introduced: Fifteen bills and two resolutions were introduced, as follows: S. 501–515, and S. Res. 94–95. **Page S1406**

Measures Passed:

Patent Reform Act: By 95 yeas to 5 nays (Vote No. 35), Senate passed S. 23, to amend title 35, United States Code, to provide for patent reform, after taking action on the following amendments proposed thereto: **Pages S1348–52, S1360–94**

Adopted:

Reid/Ensign Modified Amendment No. 143, to include public institutions of higher education in the definition of a micro entity. **Page S1362**

Withdrawn:

Reid Amendment No. 152 (to Reid Amendment No. 143), to provide an effective date. **Page S1362**

Full-Year Continuing Appropriations Act—

Agreement: A unanimous-consent-time agreement was reached providing that at 12 noon, on Wednesday, March 9, 2011, Senate proceed to the immediate consideration of H.R. 1, making appropriations for the Department of Defense and the other departments and agencies of the Government for the fiscal year ending September 30, 2011; that there be three hours of debate on the bill and the Democratic alternative—Inouye Amendment No. 149, with the time equally divided between the two Leaders, or their designees, prior to a vote on passage of the bill; that the vote on passage of the bill be subject to a 60 vote threshold; that if the bill achieves 60 affirmative votes, the bill be read a third time and passed; that if the bill does not achieve 60 affirmative votes, the Majority Leader be recognized to offer Inouye Amendment No. 149; the Senate then proceed to a vote on or in relation to the substitute amendment; that the substitute amendment be subject to a 60 vote threshold; if the substitute amendment achieves

60 affirmative votes, the substitute amendment be agreed to, the bill, as amended, be read a third time and passed; if the substitute amendment does not achieve 60 affirmative votes, H.R. 1, be returned to the calendar; that no motions or amendments be in order to the substitute amendments, or to the bill prior to the votes; provided further, that all of the above occur with no intervening action or debate.

Page S1362

A unanimous-consent agreement was reached providing that the cloture vote with respect to the motion to proceed to consideration of H.R. 1, be vitiated. **Page S1362**

Joint Meeting—Agreement: A unanimous-consent agreement was reached providing that at 10:40 a.m., on Wednesday, March 9, 2011, Senate recess until 12 noon for a Joint Meeting with the Honorable Julia Gillard, Prime Minister of Australia; that following the Joint Meeting, the Senate reconvene at 12 noon, and proceed to consideration of H.R. 1, as provided for under the previous order. **Pages S1413–14**

Message from the President: Senate received the following message from the President of the United States:

Transmitting, pursuant to law, a report of the continuation of the national emergency with respect to Iran that was declared in Executive Order 12957 on March 15, 1995; which was referred to the Committee on Banking, Housing, and Urban Affairs. (PM—7) **Page S1405**

Executive Communications: **Pages S1405–06**

Additional Cosponsors: **Pages S1406–07**

Statements on Introduced Bills/Resolutions: **Pages S1407–12**

Additional Statements: **Page S1405**

Amendments Submitted: **Page S1413**

Notices of Hearings/Meetings: **Page S1413**

Authorities for Committees to Meet: **Page S1413**

Record Votes: One record vote was taken today. (Total—35) **Page S1381**

Adjournment: Senate convened at 9:30 a.m. and adjourned at 7:02 p.m., until 9:30 a.m. on Wednesday, March 9, 2011. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S1414.)

Committee Meetings

(Committees not listed did not meet)

DEFENSE AUTHORIZATION REQUEST AND FUTURE YEARS DEFENSE PROGRAM

Committee on Armed Services: Committee concluded a hearing to examine the Department of the Navy in review of the Defense Authorization request for fiscal year 2012 and the Future Years Defense Program, after receiving testimony from Ray Mabus, Secretary of the Navy, Admiral Gary Roughead, Chief of Naval Operations, and General James F. Amos, Commandant of the Marine Corps, all of the Department of Defense.

NOMINATIONS

Committee on Banking, Housing, and Urban Affairs: Committee concluded a hearing to examine the nominations of Peter A. Diamond, of Massachusetts, to be a Member of the Board of Governors of the Federal Reserve System, and Katharine G. Abraham, of Iowa, and Carl Shapiro, of California, both to be a Member of the Council of Economic Advisers, Executive Office of the President, after the nominees testified and answered questions in their own behalf.

NATIONAL COMMISSION ON FISCAL RESPONSIBILITY AND REFORM

Committee on the Budget: Committee concluded a hearing to examine the report of the National Commission on Fiscal Responsibility and Reform, after receiving testimony from former Senator Simpson, and Erskine Bowles, both a Co-Chair, National Commission on Fiscal Responsibility and Reform.

MAGNUSON-STEVENS FISHERY CONSERVATION AND MANAGEMENT ACT

Committee on Commerce, Science, and Transportation: Subcommittee on Oceans, Atmosphere, Fisheries, and Coast Guard concluded a hearing to examine implementation of the "Magnuson-Stevens Fishery Conservation and Management Act," after receiving testimony from Eric Schwaab, Assistant Administrator, and Douglas DeMaster, Acting Director, Scientific Programs, and Chief Science Advisor, both of the National Marine Fisheries Service, National Oceanic and Atmospheric Administration, Department of

Commerce; William Hogarth, University of South Florida Institute of Oceanography, St. Petersburg; Stephanie Madsen, At-sea Processors Association (APA), Juneau, Alaska; Vito Giacalone, Northeast Seafood Coalition, Gloucester, Massachusetts; and Bill Bird, Coastal Conservation Association (CCA), Orlando, Florida.

DEPARTMENT OF TRANSPORTATION BUDGET

Committee on Commerce, Science, and Transportation: Committee concluded a hearing to examine the President's proposed budget request for fiscal year 2012 for the Department of Transportation, after receiving testimony from Ray LaHood, Secretary of Transportation.

NOMINATION

Committee on Energy and Natural Resources: Committee concluded a hearing to examine the nomination of Peter Bruce Lyons, of New Mexico, to be Assistant Secretary of Energy for Nuclear Energy, after the nominee testified and answered questions in his own behalf.

TAX SYSTEM

Committee on Finance: Committee concluded a hearing to examine if the tax system supports economic efficiency, job creation and broad-based economic growth, after receiving testimony from Alan J. Auerbach, University of California, Berkeley; Glenn Hubbard, Columbia University Graduate School of Business, and Michael J. Graetz, Columbia University Law School, both of New York, New York; and James K. Galbraith, University of Texas, Austin.

STATE DEPARTMENT TRAINING

Committee on Homeland Security and Governmental Affairs: Subcommittee on Oversight of Government Management, the Federal Workforce, and the District of Columbia concluded a hearing to examine State Department training, focusing on investing in the workforce to address 21st century challenges, after receiving testimony from Nancy J. Powell, Director General, Foreign Service, and Director, Human Resources, and Ruth A. Whiteside, Director, Foreign Service Institute, both of the Department of State; Jess T. Ford, Director, International Affairs and Trade, Government Accountability Office; and Ronald E. Neumann, American Academy of Diplomacy, and Susan Rockwell Johnson, American Foreign Service Association, both of Washington, DC.

NOMINATION

Committee on Homeland Security and Governmental Affairs: Committee concluded a hearing to examine the nomination of Heather A. Higginbottom, of the

District of Columbia, to be Deputy Director of the Office of Management and Budget, Executive Office of the President, after the nominee, who was introduced by Senator Kerry, testified and answered questions in her own behalf.

VETERANS OF FOREIGN WARS

Committee on Veterans' Affairs: Committee concluded a joint hearing with the House Committee on Veterans' Affairs to examine the legislative presentation

from Veterans of Foreign Wars, after receiving testimony from Richard L. Eubank, Robert E. Wallace, and Raymond C. Kelley, all of the Veterans of Foreign Wars (VFW), all of Washington, DC.

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. 938–963; and 8 resolutions, H.J. Res. 47; H. Con. Res. 27; and H. Res. 147–149, 152–154 were introduced. **Pages H1618–19**

Additional Cosponsors: **Pages H1620–21**

Reports Filed: Reports were filed on March 7, 2011 as follows:

H.R. 830, to rescind the unobligated funding for the FHA Refinance Program and to terminate the program, with an amendment (H. Rept. 112–25) and

H.R. 836, to rescind the unobligated funding for the Emergency Mortgage Relief Program and to terminate the program, with an amendment (H. Rept. 112–26).

Reports were filed today as follows:

H. Res. 150, providing for consideration of the bill (H.R. 830) to rescind the unobligated funding for the FHA Refinance Program and to terminate the program (H. Rept. 112–27) and

H. Res. 151, providing for consideration of the bill (H.R. 836) to rescind the unobligated funding for the Emergency Mortgage Relief Program and to terminate the program (H. Rept. 112–28).

Page H1618

Speaker: Read a letter from the Speaker wherein he appointed Representative Yoder to act as Speaker pro tempore for today. **Page H1583**

Recess: The House recessed at 2:23 p.m. and reconvened at 4 p.m. **Page H1597**

Committee Resignations: Read a letter from Representative Christensen, wherein she resigned from the Committees on Natural Resources and Homeland Security. **Page H1598**

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

Dental Emergency Responder Act of 2011: H.R. 570, to amend the Public Health Service Act to enhance the roles of dentists and allied dental personnel in the Nation's disaster response framework, by a $\frac{2}{3}$ yeas-and-nays vote of 401 yeas to 12 nays, Roll No. 163 and **Pages H1598–H1600, H1601–02**

Veterinary Public Health Amendments Act of 2011: H.R. 525, to amend the Public Health Service Act to enhance and increase the number of veterinarians trained in veterinary public health, by a $\frac{2}{3}$ yeas-and-nays vote of 280 yeas to 138 nays, Roll No. 164.

Pages H1600–01, H1602–03

Recess: The House recessed at 4:31 p.m. and reconvened at 6:30 p.m. **Page H1601**

Committee Election: The House agreed to H. Res. 149, electing a Member to a certain standing committee of the House of Representatives. **Page H1603**

Presidential Message: Read a message from the President wherein he notified Congress that the national emergency declared with respect to Iran is to continue in effect beyond March 15, 2011—referred to the Committee on Foreign Affairs and ordered printed (H. Doc. 112–13). **Page H1601**

Quorum Calls—Votes: Two yeas-and-nays votes developed during the proceedings of today and appear on pages H1602, H1602–03. There were no quorum calls.

Adjournment: The House met at 2 p.m. and adjourned at 8:08 p.m.

COMMITTEE MEETINGS

INTERIOR, ENVIRONMENT

Committee on Appropriations: Subcommittee on Interior, Environment, and Related Agencies held a

hearing on the Department of the Interior FY 2012 Budget Oversight Hearing. Testimony was heard from the following Department of the Interior officials: Ken Salazar, Secretary; David Hayes, Deputy Secretary; and Pamela Haze, Deputy Assistant Secretary, Budget, Finance, Performance and Acquisition.

FINANCIAL SERVICES AND GENERAL GOVERNMENT

Committee on Appropriations: Subcommittee on Financial Services and General Government held a hearing on FY 2012 Budget—Small Business Administration. Testimony was heard from Karen G. Mills, Small Business Administration.

CLIMATE, SCIENCE AND GREENHOUSE GAS

Committee on Energy and Commerce: Subcommittee on Energy and Power held a hearing entitled “Climate Science and EPA’s Greenhouse Gas Regulations”. Testimony was heard from public witnesses.

DEMOCRATIC REPUBLIC OF CONGO

Committee on Foreign Affairs: Subcommittee on Africa, Global Health, and Human Rights held a hearing on the Democratic Republic of the Congo: Securing Peace in the Midst of Tragedy. Testimony was heard from Donald Y. Yamamoto, Principal Deputy Assistant Secretary, Bureau of African Affairs, Department of State; Rajakumari Jandhyala, Deputy Assistant Administrator Bureau for Africa, Agency for International Development; and public witnesses.

EXECUTIVE IN NEED OF SCRUTINY

Committee on the Judiciary: Subcommittee on Courts, Commercial and Administrative Law held a hearing on H.R. 10, the “Regulations From the Executive in Need of Scrutiny Act of 2011”. Testimony was heard from public witnesses.

FEDERAL SPENDING AND NATIVE AMERICAN PROGRAMS

Committee on Natural Resources: Subcommittee on Indian and Alaska Native Affairs held an oversight hearing on “The effectiveness of federal spending on Native American programs, and on the President’s FY 2012 budget request for the Bureau of Indian Affairs and the Office of the Special Trustee for American Indians.” Testimony was heard from Larry EchoHawk, Assistant Secretary for Indian Affairs; and Ray A. Joseph, Principal Deputy Special Trustee for American Indians.

FY 2012 BUDGET—BUREAU OF LAND MANAGEMENT AND FOREST SERVICE

Committee on Natural Resources: Subcommittee on Indian and Alaska Native Affairs held a hearing on Ex-

amining the Spending, Priorities and the Missions of the Bureau of Land Management and the U.S. Forest Service and the President’s FY 2012 Budget Proposal. Testimony was heard from Tom Tidwell, Chief, Forest Service, Department of Agriculture; and Robert Abbey, Director, Bureau of Land Management, Department of the Interior.

FHA REFINANCE PROGRAM TERMINATION ACT

Committee on Rules: Granted, by record vote of 7 to 4, a modified open rule providing one hour of general debate equally divided and controlled by the chair and ranking minority member of the Committee on Financial Services. The rule waives all points of order against consideration of the bill. The rule makes in order the amendment in the nature of a substitute recommended by the Committee on Financial Services as original text for purpose of amendment, and provides that each section shall be considered as read. The rule waives all points of order against the committee amendment in the nature of a substitute. The rule makes in order only those amendments that have been submitted for printing in the Congressional Record not later than March 9, 2011 or pro forma amendments for the purpose of debate. The rule provides that each amendment submitted for printing in the Congressional Record may be offered only by the Member who submitted it for printing or their designee, and that each such amendment shall be considered as read if printed. Finally, the rule provides one motion to recommit with or without instructions. Testimony was heard from Representatives Biggert, Frank of Massachusetts and Cardoza.

EMERGENCY MORTGAGE RELIEF PROGRAM TERMINATION ACT

Committee on Rules: Granted, by record vote of 7 to 4, a modified open rule providing one hour of general debate equally divided and controlled by the chair and ranking minority member of the Committee on Financial Services. The rule waives all points of order against consideration of the bill. The rule makes in order the amendment in the nature of a substitute recommended by the Committee on Financial Services as original text for purpose of amendment, and provides that each section shall be considered as read. The rule waives all points of order against the committee amendment in the nature of a substitute. The rule makes in order only those amendments that have been submitted for printing in the Congressional Record not later than March 9, 2011 or pro forma amendments for the purpose of debate. The rule provides that each amendment submitted for printing in the Congressional Record may be offered only by the Member

who submitted it for printing or their designee, and that each such amendment shall be considered as read if printed. Finally, the rule provides one motion to recommit with or without instructions. Testimony was heard from Representatives Biggert, Frank of Massachusetts and Cardoza.

FY 2012 BUDGET—ARMY CORPS OF ENGINEERS

Committee on Transportation: Subcommittee on Water Resources and Environment held a hearing entitled “Review of the FY 2012 Budget and Priorities of the Army Corps of Engineers, Tennessee Valley Authority, and the Natural Resources Conservation Service: Finding Ways To Do More With Less.” Testimony was heard from Jo Ellen Darcy, USA, Assistant Secretary of the Army—Civil Works; Robert Van Antwerp, U.S. Army Corps of Engineers, Chief of Engineers, Lieutenant General; Thomas Christensen, Natural Resources Conservation Service, Regional Conservationist, Central Region, Department of Agriculture; and public witnesses.

Joint Meetings

No joint committee meetings were held.

COMMITTEE MEETINGS FOR WEDNESDAY, MARCH 9, 2011

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Appropriations; Subcommittee on Departments of Labor, Health and Human Services, and Education, and Related Agencies, to hold hearings to examine funding for the Social Security Administration in fiscal years 2011 and 2012, 9:30 a.m., SD-124.

Subcommittee on Department of the Interior, Environment, and Related Agencies, to hold hearings to examine proposed budget estimates for fiscal year 2012 for the Department of the Interior, 3:30 p.m., SD-124.

Committee on Banking, Housing, and Urban Affairs; to hold hearings to examine the state of the housing market, 2:30 p.m., SD-538.

Committee on the Budget; to hold hearings to examine distribution and efficiency of spending in the tax code, 10 a.m., SD-608.

Committee on Environment and Public Works; to hold hearings to examine the President’s proposed budget request for fiscal year 2012 for the Federal Highway Administration, 2:15 p.m., SD-406.

Committee on Finance; to hold hearings to examine the President’s 2011 trade agenda, 9:30 a.m., SD-215.

Committee on Homeland Security and Governmental Affairs; Subcommittee on Federal Financial Management, Government Information, Federal Services, and International Security, to hold hearings to examine new tools for curbing

waste and fraud in Medicare and Medicaid, 2:30 p.m., SD-342.

Committee on the Judiciary; to hold an oversight hearing to examine the Department of Homeland Security, 10 a.m., SD-226.

Committee on Small Business and Entrepreneurship; business meeting to mark up the Small Business Innovation Research (SBIR) and Small Business Technology Transfer (STTR) Reauthorization Act of 2011, 10 a.m., SR-428A.

House

Committee on Agriculture, Full Committee, hearing on H.R. 872, The Reducing Regulatory Burdens Act of 2011, 10 a.m., 1300 Longworth.

Committee on Appropriations, Subcommittee on Interior, Environment, and Related Agencies on National Park Service FY 2012 Budget Oversight, 9:30 a.m., B-308 Rayburn.

Subcommittee on Defense on FY 2012 Navy/Marine Corps Budget Overview, 9:30 a.m., H-140 Capitol.

Subcommittee on Energy and Water Development, and Related Agencies on Army Corps of Engineers FY 2012 Budget Requests 2 p.m., 2362-B Rayburn.

Subcommittee on Homeland Security on FY 2012 Oversight and Budget Department of Homeland Security 9:30 a.m., B-318 Rayburn.

Subcommittee on Military Construction, Veterans Affairs, and Related Agencies on Oversight of Veterans Programs 2 p.m., HT-2 Capitol.

Subcommittee on State, Foreign Operations and Related Programs on FY 2012 Budget Request for the Department of the Treasury International Programs 1:30 p.m., 2359 Rayburn.

Committee on Armed Services, Subcommittee on Tactical Air and Land Forces hearing on Army modernization 1:30 p.m., 2118 Rayburn.

Subcommittee on Seapower and Projection Forces hearing on Navy shipbuilding acquisition programs and budget requirements of the Navy’s shipbuilding and construction plan, 3 p.m., 2212 Rayburn.

Committee on Education and the Workforce, Full Committee hearing on The Budget and Policy Proposals of the U.S. Department of Education 2 p.m., 2175 Rayburn.

Committee on Energy and Commerce, Subcommittee on Communications and Technology hearing on H.J. Res 37, Disapproving the rule submitted by the Federal Communications Commission with respect to regulating the Internet and broadband industry practices. 10:30 a.m., 2123 Rayburn. The subcommittee will hold a mark-up of the bill immediately after the hearing.

Subcommittee on Health hearing entitled “Setting Fiscal Priorities in Health Care Funding.” 10:30 a.m., 2322 Rayburn.

Committee on Financial Services, Full Committee, continued mark-up of the following: H.R. 839, the HAMP Termination Act of 2011 and H.R. 861, the NSP Termination Act, 10 a.m., 2128 Rayburn.

Committee on Foreign Affairs, Subcommittee on Terrorism, Nonproliferation, and Trade, hearing on China’s Indigenous Innovation Trade and Investment Policies: How Great a Threat? 2 p.m., 2172 Rayburn.

Committee on Homeland Security, Subcommittee on Emergency Preparedness, Response, and Communications, hearing entitled “Ensuring Effective Preparedness and Response—An Assessment of the Fiscal Year 2012 Budget Request for the Federal Emergency Management Agency”, 9:30 a.m., 311 Cannon.

Subcommittee on Transportation Security, hearing entitled “Securing Air Commerce From the Threat of Terrorism”, 2 p.m., 311 Cannon.

Committee on House Administration, Full Committee, mark-up on the Omnibus Committee Funding Resolution, 1 p.m., 1310 Longworth.

Committee on the Judiciary, Subcommittee on Intellectual Property, Competition and the Internet hearing on Driving American Innovation: Creating Jobs and Boosting our Economy 10 a.m., 2141 Rayburn.

Subcommittee on Crime, Terrorism and Homeland Security hearing on the Reauthorization of the PATRIOT Act, 1:30 p.m., 2141 Rayburn.

Committee on Natural Resources, Subcommittee on Energy and Mineral Resources will hold an oversight hearing to “Examine the Spending Priorities and the Missions of the U.S. Geological Survey and the President’s FY 2012 Budget Proposal.” 2 p.m., 1324 Longworth.

Committee on Oversight and Government Reform, Subcommittee on Government Organization, Efficiency and Financial Management hearing entitled “A Look at the FY10 Consolidated Financial Report of the U.S. Government.” 9:30 a.m., 2247 Rayburn.

Subcommittee on Regulatory Affairs, Stimulus Oversight and Government Spending hearing entitled “Assessing the Cumulative Impact of Regulation on U.S. Manufacturers.” 9:30 a.m., 2154 Rayburn.

Subcommittee on Federal Workforce, U.S. Postal Service and Labor Policy hearing entitled “Are Federal Workers Underpaid?” 1:30 p.m., 2154 Rayburn.

Next Meeting of the SENATE

9:30 a.m., Wednesday, March 9

Next Meeting of the HOUSE OF REPRESENTATIVES

10 a.m., Wednesday, March 9

Senate Chamber

Program for Wednesday: Senate will be in a period of morning business until 10:40 a.m. Following the Joint Meeting, Senate will begin consideration of H.R. 1, Full-Year Continuing Appropriations Act, and after a period of debate, vote on passage of H.R. 1, and Inouye Amendment No. 149, at approximately 3 p.m.

(At 10:40 a.m., Senate will recess until 12 noon for a Joint Meeting of Congress with the Honorable Julia Gillard, Prime Minister of Australia.)

House Chamber

Program for Wednesday: Joint Meeting with the Senate to receive The Honorable Julia Gillard, Prime Minister of Australia.

Extensions of Remarks, as inserted in this issue

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