

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S5921–S5960

Measures Introduced: Eleven bills and eight resolutions were introduced, as follows: S. 1622–1632, S. Res. 276–282, and S. Con. Res. 29. **Page S5945**

Measures Passed:

Veterans Health Care Facilities Capital Improvement Act: Senate passed H.R. 2646, to authorize certain Department of Veterans Affairs major medical facility projects and leases, to extend certain expiring provisions of law, and to modify certain authorities of the Secretary of Veterans Affairs. **Page S5932**

Short-Term TANF Extension Act: Senate passed H.R. 2943, to extend the program of block grants to States for temporary assistance for needy families and related programs through December 31, 2011. **Page S5932**

Honoring the Service of Sergeant First Class Leroy Arthur Petry: Committee on Armed Services was discharged from further consideration of S. Con. Res. 27, honoring the service of Sergeant First Class Leroy Arthur Petry, a native of Santa Fe, New Mexico, and the second living recipient of the Medal of Honor since the Vietnam War, and the resolution was then agreed to. **Page S5932**

Authorizing the Use of the Rotunda of the United States Capitol: Senate agreed to S. Con. Res. 29, authorizing the use of the rotunda of the United States Capitol for an event to present the Congressional Gold Medal, collectively, to Neil A. Armstrong, Edwin E. “Buzz” Aldrin, Jr., Michael Collins, and John Herschel Glenn, Jr., in recognition of their significant contributions to society. **Page S5932**

National Brain Aneurysm Awareness Month: Committee on Health, Education, Labor, and Pensions was discharged from further consideration of S. Res. 248, supporting the goals and ideals of National Brain Aneurysm Awareness Month, and the resolution was then agreed to. **Page S5933**

Congratulating the Nunaka Valley Little League: Committee on the Judiciary was discharged

from further consideration of S. Res. 273, congratulating the Nunaka Valley Little League junior girls softball team on their performance in the Junior League Softball World Series, and the resolution was then agreed to. **Page S5933**

National Medicine Abuse Awareness Month: Committee on the Judiciary was discharged from further consideration of S. Res. 261, designating the month of October 2011 as “National Medicine Abuse Awareness Month”, and the resolution was then agreed to. **Pages S5933–34**

National Infant Mortality Awareness Month: Senate agreed to S. Res. 276, expressing support for the goals and ideals of National Infant Mortality Awareness Month of 2011. **Page S5934**

National Principals Month: Senate agreed to S. Res. 277, recognizing the month of October 2011 as “National Principals Month”. **Page S5934**

National Prostate Cancer Awareness Month: Senate agreed to S. Res. 278, designating September 2011 as “National Prostate Cancer Awareness Month”. **Pages S5934–35**

Worldwide Day of Play: Senate agreed to S. Res. 279, expressing support for the designation of September 24, 2011, as “Worldwide Day of Play”. **Page S5935**

National Hispanic-Serving Institutions Week: Senate agreed to S. Res. 280, designating the week beginning September 19, 2011, as “National Hispanic-Serving Institutions Week” and recognizing the achievements of the Hispanic Association of Colleges and Universities. **Page S5935**

National Estuaries Day: Senate agreed to S. Res. 281, designating September 24, 2011, as “National Estuaries Day”. **Pages S5935–36**

Authorizing Testimony: Senate agreed to S. Res. 282, to authorize testimony in *Kanelos v. County of Mohave*, et al. and *Zanna, et al. v. Mohave County*, et al. **Pages S5958–59**

House Messages:

Continuing Appropriations—Agreement: Senate began consideration of the amendment of the House

of Representatives to the amendment of the Senate to H.R. 2608, making continuing appropriations for fiscal year 2012, taking action on the following amendments and motions proposed thereto:

Pages S5921–24

Rejected:

Reid Motion to concur in the amendment of the House of Representatives to the amendment of the Senate to the bill, with Reid Amendment No. 655 (to the amendment of the House to the amendment of the Senate to the bill), to provide continuing appropriations in fiscal year 2011 and additional appropriations for disaster relief in fiscal years 2011 and 2012. (By 59 yeas to 36 nays (Vote No. 151), Senate tabled the motion.)

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Pending:

Reid Motion to concur in the amendment of the House of Representatives to the amendment of the Senate to the bill, with Reid Amendment No. 656 (to the amendment of the House to the amendment of the Senate to the bill), to provide continuing appropriations in fiscal year 2011 and additional appropriations for disaster relief in fiscal years 2011 and 2012.

Page S5922

Reid Amendment No. 657 (to Amendment No. 656), to change the enactment date.

Page S5922

Reid Motion to refer the message of the House on the bill to the Committee on Appropriations with instructions, Reid Amendment No. 658, to change the enactment date.

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Reid Amendment No. 659 (to (the instructions) Amendment No. 658), of a perfecting nature.

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Reid Amendment No. 660 (to Amendment No. 659), of a perfecting nature.

Pages S5922–24

A motion was entered to close further debate on the Reid Motion to concur in the amendment of the House of Representatives to the amendment of the Senate to the bill, with Reid Amendment No. 656 (to the amendment of the House to the amendment of the Senate to the bill), and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, and pursuant to the unanimous-consent agreement of Friday, September 23, 2011, a vote on cloture will occur at 5:30 p.m., on Monday, September 26, 2011.

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A unanimous-consent agreement was reached providing that at 4:30 p.m., on Monday, September 26, 2011, Senate resume consideration of the Reid Motion to concur in the amendment of the House of Representatives to the amendment of the Senate to the bill, with Reid Amendment No. 656, with the time until 5:30 p.m. equally divided and controlled between the two Leaders, or their designees; providing further, that the second-degree filing deadline

for the motion to concur be at 5:00 p.m., on Monday, September 26, 2011.

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Nominations Confirmed: Senate confirmed the following nominations:

Ashton B. Carter, of Massachusetts, to be Deputy Secretary of Defense.

29 Air Force nominations in the rank of general.

10 Army nominations in the rank of general.

10 Navy nominations in the rank of admiral.

Routine lists in the Air Force, Army, Marine Corps, and Navy.

Pages S5956–58, S5959–60

A routine list in the Public Health Service. (Prior to this action, Committee on Health, Education, Labor, and Pensions was discharged from further consideration.)

Pages S5956–58, S5959–60

Nominations Received: Senate received the following nominations:

Maurice A. Jones, of Virginia, to be Deputy Secretary of Housing and Urban Development.

Matthew S. Rutherford, of Illinois, to be an Assistant Secretary of the Treasury.

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Messages from the House:

Page S5944

Measures Placed on the Calendar:

Pages S5936, S5944

Executive Communications:

Pages S5944–45

Additional Cosponsors:

Pages S5945–47

Statements on Introduced Bills/Resolutions:

Pages S5947–52

Additional Statements:

Pages S5943–44

Amendments Submitted:

Pages S5952–56

Authorities for Committees to Meet:

Page S5956

Record Votes: One record vote was taken today. (Total—151)

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Adjournment: Senate convened at 9:00 a.m. and adjourned at 3:59 p.m., until 3:30 p.m. on Monday, September 26, 2011. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S5959.)

Committee Meetings

(Committees not listed did not meet)

NOMINATIONS

Committee on Homeland Security and Governmental Affairs: Committee concluded a hearing to examine the nominations of Ronald David McCray, of Texas, to be a Member of the Federal Retirement Thrift Investment Board, and Corinne Ann Beckwith, and Catharine Friend Easterly, both to be an Associate Judge of the District of Columbia Court of Appeals, after the nominees testified and answered questions in their own behalf.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 29 public bills, H.R. 3038–3066; and 3 resolutions, H. Con. Res. 82; and H. Res. 415–416 were introduced. **Pages H6455–57**

Additional Cosponsors: **Pages H6457–58**

Reports Filed: Reports were filed today as follows:

H.R. 241, to authorize the conveyance of certain National Forest System lands in the Los Padres National Forest in California, with an amendment (H. Rept. 112–216);

H.R. 461, to direct the Secretary of the Interior to convey certain Federal features of the electric distribution system to the South Utah Valley Electric Service District, and for other purposes, with an amendment (H. Rept. 112–217);

H.R. 473, to provide for the conveyance of approximately 140 acres of land in the Ouachita National Forest in Oklahoma to the Indian Nations Council, Inc., of the Boy Scouts of America, and for other purposes, with an amendment (H. Rept. 112–218);

H.R. 795, to expand small-scale hydropower (H. Rept. 112–219, Pt. 1);

H.R. 1258, to provide for the conveyance of parcels of land to Mantua, Box Elder County, Utah (H. Rept. 112–220);

H.R. 1421, to amend the Water Resources Development Act of 1986 to clarify the role of the Cherokee Nation of Oklahoma with regard to the maintenance of the W.D. Mayo Lock and Dam in Oklahoma (H. Rept. 112–221 Pt. 1);

H.R. 1560, to amend the Ysleta del Sur Pueblo and Alabama and Coushatta Indian Tribes of Texas Restoration Act to allow the Ysleta del Sur Pueblo Tribe to determine blood quantum requirement for membership in that tribe (H. Rept. 112–222); and

H.R. 2583, to authorize appropriations for the Department of State for fiscal year 2012, and for other purposes, with an amendment (H. Rept. 112–223). **Pages H6454–55**

Speaker: Read a letter from the Speaker wherein he appointed Representative Dold to act as Speaker pro tempore for today. **Page H6417**

Chaplain: The prayer was offered by the guest chaplain, Reverend Dr. Charley Hames, Jr., Beebe Memorial Cathedral, Oakland, California. **Page H6417**

Transparency in Regulatory Analysis of Impacts on the Nation Act of 2011: The House passed H.R. 2401, to require analyses of the cumulative and

incremental impacts of certain rules and actions of the Environmental Protection Agency, by a recorded vote of 249 ayes to 169 noes, Roll No. 741. Consideration of the measure began yesterday, September 22nd. **Pages H6419–46**

Rejected the McCollum motion to recommit the bill to the Committee on Energy and Commerce with instructions to report the same back to the House forthwith with an amendment, by a yea-and-nay vote of 180 yeas to 233 nays, Roll No. 740. **Pages H6444–46**

Agreed to:

Moore amendment (No. 3 printed in H. Rept. 112–213) that ensures that the study will analyze the impact that a rule or action could have on low-income communities and public health (by a recorded vote of 337 ayes to 76 noes, Roll No. 730); **Pages H6423, H6438**

Kinzinger amendment (No. 5 printed in H. Rept. 112–213) that adds upcoming EPA gasoline regulations to the list of measures to be analyzed for their cumulative impact on energy prices, jobs, and American competitiveness (by a recorded vote of 269 ayes to 145 noes, Roll No. 732); **Pages H6425–26, H6439–40**

Dent amendment (No. 6 printed in H. Rept. 112–213) that adds the U.S. Environmental Protection Agency's (EPA) National Emission Standards for Hazardous Air Pollutants (NESHAP) from the Portland Cement Manufacturing Industry and Standards of Performance for Portland Cement Plants to the Covered Rules within the bill (by a recorded vote of 269 ayes to 150 noes, Roll No. 733); **Pages H6426–27, H6440–41**

Jackson Lee amendment (No. 9 printed in H. Rept. 112–213) that extends the public comment period from 90 days to 120 days (by a recorded vote of 346 ayes to 74 noes, Roll No. 736); **Pages H6429–31, H6442**

Whitfield amendment (No. 10 printed in H. Rept. 112–213) that provides that the Cross State Air Pollution Rule has no legal force or effect, and directs EPA to continue to apply Clean Air Interstate Rule (CAIR) for at least 3 years until after the study in the underlying bill is complete. The amendment also requires that the proposed Utility Maximum Achievable Control Technology (MACT) rule has no legal force and effect and that any subsequent Utility MACT rule be issued no sooner than 1 year after the study in the underlying bill is complete. If reissuing the rule, EPA is required to ensure that MACT standards are achievable in practice and that the compliance period is at least 5 years (by a

recorded vote of 234 ayes to 188 noes, Roll No. 737); and

Pages H6431–34, H6442–43

Latta amendment (No. 11 printed in H. Rept. 112–213) that updates the Clean Air Act's criteria for what factors can be considered when promulgating National Ambient Air Quality Standards (NAAQS). Specifically, it allows the EPA Administrator to consider feasibility and cost when setting these standards, which would negate the effect of a 2001 Supreme Court ruling that held implementation costs cannot be considered when setting NAAQS (by a recorded vote of 227 ayes to 192 noes, Roll No. 738).

Pages H6434–35, H6443–44

Rejected:

Welch amendment (No. 1 printed in H. Rept. 112–213) that sought to add the Chair of the Council on Environmental Quality, the Secretary of Health and Human Services, as well as the Director of the Centers for Disease Control and Prevention, among others, to the interagency council that this bill would create. Additionally, the amendment would have directed the committee to look at important health impacts on the most vulnerable subpopulations that would be affected by EPA's proposed rules (by a recorded vote of 173 ayes to 236 noes, Roll No. 728);

Pages H6420–22, H6436–37

McNerney amendment (No. 2 printed in H. Rept. 112–213) that sought to add the effect on clean energy jobs and clean energy companies, including those that export clean energy technology, to the items to be considered in the analyses required by the bill (by a recorded vote of 184 ayes to 229 noes, Roll No. 729);

Pages H6422, H6437–38

Capps amendment (No. 4 printed in H. Rept. 112–213) that sought to require the Committee to include in its analyses an estimate of the incidence of birth and developmental defects and infant mortality that would result from a delay to covered rules and covered actions under the bill (by a recorded vote of 195 ayes to 221 noes, Roll No. 731);

Pages H6423–25, H6438–39

Hastings (FL) amendment (No. 7 printed in H. Rept. 112–213) that sought to exclude from the Committee's jurisdiction all rules and regulations that undergo a cost-benefit analysis as a part of existing regulatory requirements (by a recorded vote of 165 ayes to 254 noes, Roll No. 734);

Pages H6427–28, H6440–41

Connolly amendment (No. 8 printed in H. Rept. 112–213) that sought to require the committee to study policies which will lead to creation of American jobs in the clean energy sector (by a recorded vote of 186 ayes to 232 noes, Roll No. 735); and

Pages H6428–29, H6441–42

Richardson amendment (No. 12 printed in H. Rept. 112–213) that sought to strike the offset pro-

vision of NR 2401, which would reduce funding to the Diesel Emission Reductions Act (by a recorded vote of 181 ayes to 237 noes, Roll No. 739).

Pages H6435, H6444

H. Res. 406, the rule providing for consideration of the bill, was agreed to yesterday, September 22nd.

Meeting Hour: Agreed that when the House adjourns today, it adjourn to meet at 12 noon on Monday, September 26th, and further when the House adjourns on that day, it shall meet at 11 a.m. on Thursday, September 29th.

Page H6447

Senate Message: Message received from the Senate today appears on page H6426.

Quorum Calls—Votes: One yea-and-nay vote and thirteen recorded votes developed during the proceedings of today and appear on pages H6436–37, H6437–38, H6438, H6439, H6439–40, H6440, H6440–41, H6441–42, H6442, H6442–43, H6443–44, H6444, H6445–46 and H6446. There were no quorum calls.

Adjournment: The House met at 9 a.m. and adjourned at 2:25 p.m.

Committee Meetings

ARLINGTON CEMETERY

Committee on Armed Services: Subcommittee on Military Personnel and Subcommittee on Oversight and Investigations held a joint hearing on Arlington Cemetery Reforms. Testimony was heard from Major General William McCoy, Deputy Inspector General, U.S. Army; Katheryn A. Condon, Executive Director, Arlington National Cemetery; and Patrick Hallinan, Superintendent of Arlington National Cemetery.

INCREASE IN DRUG SHORTAGES

Committee on Energy and Commerce: Subcommittee on Health held a hearing entitled "Examining the Increase in Drug Shortages." Testimony was heard from Howard K. Koh, Assistant Secretary for Health, Department of Health and Human Services; and public witnesses.

SOLYNDRA

Committee on Energy and Commerce: Subcommittee on Oversight and Investigations held a hearing entitled "From DOE Loan Guarantee to Bankruptcy to FBI Raid: What Solyndra's Executives Knew." Testimony was heard from public witnesses.

COLUMBIA, PANAMA, AND SOUTH KOREA FREE TRADE AGREEMENT

Committee on Foreign Affairs: Full Committee held a hearing entitled “Job Creation Made Easy: The Columbia, Panama, and South Korea Free Trade Agreement.” Testimony was heard from public witnesses.

AMERICAN SAMOA AND THE COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS

Committee on Natural Resources: Subcommittee on Fisheries, Wildlife, Oceans, and Insular Affairs held a hearing to review the impact of minimum wage increases in American Samoa and the Commonwealth of the Northern Mariana Islands. Testimony was heard from Anthony Babauta, Assistant Secretary of the Interior for Insular Affairs, Department of the Interior; Togiola Tulafono, Governor, American Samoa; David Gootnick, Director, International Affairs and Trade, Government Accountability Office; and public witnesses.

DEPARTMENT OF DEFENSE

Committee on Oversight and Government Reform: Subcommittee on Government Organization, Efficiency and Financial Management held a hearing entitled “The Department of Defense: Challenges in Financial Management.” Testimony was heard from Mark Easton, Deputy Chief Financial Officer, Department of Defense; Daniel Blair, Deputy Inspector General for Auditing, Department of Defense, Office of Inspector General; and Asif Khan, Director of Financial Management and Assurance, Government Accountability Office.

POLAR WEATHER SATELLITE PROGRAM

Committee on Science, Space, and Technology: Subcommittee on Investigations and Oversight and Subcommittee on Energy and Environment held a joint hearing entitled “From NPOESS to JPSS: An Update on the Nation’s Restructured Polar Weather Satellite Program.” Testimony was heard from Kathryn Sullivan, Assistant Secretary of Commerce for Environmental Observation and Prediction and Deputy Administrator, National Oceanic and Atmospheric Administration; Christopher Scolese, Associate Administrator, National Aeronautics and Space Administration; and David A. Powner, Director, Information Technology Management Issues, Government Accountability Office.

DEPARTMENT OF HOMELAND SECURITY RELOCATION PROJECT

Committee on Transportation and Infrastructure: Subcommittee on Coast Guard and Maritime Transportation held a hearing entitled “Review and Status of the Multi-Billion Dollar Department of Homeland Security Relocation Project in Washington, D.C. and its Impacts on the U.S. Coast Guard.” Testimony was heard from Donald Bathurst, Chief Administrative Officer, Department of Homeland Security; Vice Admiral John Currier, Deputy Commandant for Mission Support, U.S. Coast Guard; Robert A. Peck, Commissioner, Public Buildings Service, General Services Administration.

SOCIAL SECURITY DISABILITY PROGRAMS

Committee on Ways and Means: Subcommittee on Social Security and Subcommittee on Human Resources held a joint hearing on work incentives in Social Security disability programs. Testimony was heard from Robert R. Williams, Associate Commissioner, Office of Employment Support Programs, Social Security Administration; and Dan Bertoni, Director, Education, Workforce, and Income Security Issues, Government Accountability Office.

Joint Meetings

No joint committee meetings were held.

CONGRESSIONAL PROGRAM AHEAD

Week of September 26 through October 1, 2011

Senate Chamber

On *Monday*, at 4:30 p.m., Senate will resume consideration of the motion to concur in the amendment of the House of Representatives to the amendment of the Senate to H.R. 2608, Continuing Appropriations, with Reid Amendment No. 656, with a vote on the motion to invoke cloture on the motion to concur at 5:30 p.m.

During the balance of the week, Senate may consider any cleared legislative and executive business.

Senate Committees

(Committee meetings are open unless otherwise indicated)

No meetings/hearings scheduled.

House Committees

No hearings are scheduled.

Next Meeting of the SENATE

3:30 p.m., Monday, September 26

Next Meeting of the HOUSE OF REPRESENTATIVES

12 noon, Monday, September 26

Senate Chamber

Program for Monday: After the transaction of any morning business (not to extend beyond 4:30 p.m.), Senate will resume consideration of the Reid Motion to concur in the amendment of the House of Representatives to the amendment of the Senate to H.R. 2608, Continuing Appropriations, with Reid Amendment No. 656, with a vote on the motion to invoke cloture on the motion to concur at 5:30 p.m.

House Chamber

Program for Monday: To be announced.

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