

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S8345–S8379

Measures Introduced: Two bills and one resolution were introduced, as follows: S. 1947–1948, and S. Res. 344. **Page S8376**

Cordray Nomination—Cloture: Senate began consideration of the nomination of Richard Cordray, of Ohio, to be Director, Bureau of Consumer Financial Protection. **Page S8347**

A motion was entered to close further debate on the nomination, and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, a vote on cloture will occur on Thursday, December 8, 2011. **Page S8347**

Halligan Nomination—Cloture: Senate resumed consideration of the nomination of Caitlin Joan Halligan, of New York, to be United States Circuit Judge for the District of Columbia Circuit. **Pages S8352–61**

By 54 yeas to 45 nays, 1 responding present (Vote No. 222), 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 S8361**

Messages from the House: **Pages S8374–75**

Measures Placed on the Calendar: **Page S8375**

Executive Communications: **Pages S8375–76**

Additional Cosponsors: **Pages S8376–77**

Statements on Introduced Bills/Resolutions: **Pages S8377–78**

Additional Statements: **Pages S8373–74**

Notices of Hearings/Meetings: **Page S8378**

Authorities for Committees to Meet: **Page S8378**

Record Votes: One record vote was taken today. (Total—222) **Page S8361**

Adjournment: Senate convened at 10 a.m. and adjourned at 6:03 p.m., until 11:30 a.m. on Wednesday, December 7, 2011. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S8379.)

Committee Meetings

(Committees not listed did not meet)

IMPLEMENTATION OF THE WALL STREET REFORM ACT

Committee on Banking, Housing, and Urban Affairs: Committee concluded a hearing to examine continued oversight of the implementation of the "Wall Street Reform Act", after receiving testimony from Neal S. Wolin, Deputy Secretary, and John Walsh, Acting Comptroller of the Currency, both of the Department of the Treasury; Daniel K. Tarullo, Member, Board of Governors of the Federal Reserve System; Mary L. Schapiro, Chairman, U.S. Securities and Exchange Commission; Gary Gensler, Chairman, Commodity Futures Trading Commission; and Martin J. Gruenberg, Acting Chairman, Federal Deposit Insurance Corporation.

CONTAMINATED DRYWALL

Committee on Commerce, Science, and Transportation: Subcommittee on Consumer Protection, Product Safety, and Insurance concluded a hearing to examine contaminated drywall, focusing on examining the current health, housing and product safety issues facing homeowners, after receiving testimony from Neal S. Cohen, Office of Education, Global Outreach, and Small Business Ombudsman, Consumer Product Safety Commission; Christopher J. Portier, Director, National Center for Environmental Health, Centers for Disease Control and Prevention, and Agency for Toxic Substances and Disease Registry, Department of Health and Human Services; William C. Shelton, Virginia Department of Housing and Community Development Director, Richmond; and Brenda Brincku, Alva, Florida.

TAX REFORM

Committee on Finance: Committee with the House Committee on Ways and Means concluded a joint hearing to examine tax reform and the tax treatment of financial products, after receiving testimony from Thomas A. Barthold, Chief of Staff, Joint Committee on Taxation, United States Congress; Alex Raskolnikov, Columbia Law School, and David S.

Miller, Cadwalader, Wickersham and Taft LLP, both of New York, New York; and Andrea S. Kramer, McDermott Will and Emery LLP, Chicago, Illinois.

WHISTLEBLOWER PROTECTION

Committee on Homeland Security and Governmental Affairs: Ad Hoc Subcommittee on Contracting Oversight concluded a hearing to examine whistleblower protections for government contractors, including S. 241, to expand whistleblower protections to non-Federal employees whose disclosures involve misuse of Federal funds, after receiving testimony from Peggy E. Gustafson, Inspector General, U.S. Small Business Administration, and Chair of the Legislation Committee, Council of Inspectors General on Integrity and Efficiency; Marguerite C. Garrison, Deputy Inspector General for Administrative Investigations, Department of Defense; Angela Canterbury, Project on Government Oversight (POGO), Washington, D.C.; and Walter L. Tamosaitis, Richland, Washington.

TELEVISIONING THE SUPREME COURT

Committee on the Judiciary: Subcommittee on Administrative Oversight and the Courts concluded a hearing to examine access to the court, focusing on televising the Supreme Court, including S. 1945, to permit the televising of Supreme Court proceedings,

and S. 410, to provide for media coverage of Federal court proceedings, after receiving testimony from former Senator Arlen Specter; Anthony J. Scirica, Circuit Judge, United States Court of Appeals for the Third Circuit; Mark Cady, Chief Justice Iowa Supreme Court, Des Moines; and Tom Goldstein, Goldstein and Russell, P.C., and Maureen Mahoney, Latham and Watkins LLP, both of Washington, D.C.

EXPRESS SCRIPTS/MEDCO MERGER

Committee on the Judiciary: Subcommittee on Anti-trust, Competition Policy and Consumer Rights concluded a hearing to examine the Express Scripts/Medco merger, after receiving testimony from George Paz, Express Scripts Inc., St. Louis, Missouri; David B. Snow, Jr., Medco Health Solutions, Inc., Franklin Lakes, New Jersey; Scott E. Streater, The Ohio State University Medical Center, Columbus; Sue Sutter, National Community Pharmacists Association (NCPA), Horicon, Wisconsin; Michael J. Bettiga, Shopko Stores, Green Bay, Wisconsin, on behalf of the National Association of Chain Drug Stores; and David A. Balto, Washington, D.C.; on behalf of the Consumers Union, Consumer Federation of America, National Consumers League, U.S. Public Interest Research Group, and the National Legislative Association on Prescription Drug Prices.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 12 public bills, H.R. 3563–3574; and 2 resolutions, H.J. Res. 92, and H. Res. 484, were introduced.

Pages H8186–87

Additional Cosponsors:

Pages H8187–88

Reports Filed: Reports were filed today as follows:

H.R. 3237, to amend the SOAR Act by clarifying the scope of coverage of the Act, with an amendment (H. Rept. 112–315) and

H.R. 1633, to establish a temporary prohibition against revising any national ambient air quality standard applicable to coarse particulate matter, to limit Federal regulation of nuisance dust in areas in which such dust is regulated under State, tribal, or local law, and for other purposes, with an amendment (H. Rept. 112–316).

Page H8186

Speaker: Read a letter from the Speaker wherein he appointed Representative Foxx to act as Speaker pro tempore for today.

Page H8137

Recess: The House recessed at 11 a.m. and reconvened at 12 noon.

Page H8143

Chaplain: The prayer was offered by the guest chaplain, Reverend Bryan Thiessen, Journey Church, Bridgeville, Pennsylvania.

Page H8143

Regulations From the Executive in Need of Scrutiny Act of 2011—Rule for Consideration:

The House agreed to the rule (H. Res. 479) that is providing for consideration of H.R. 10, to amend chapter 8 of title 5, United States Code, to provide that major rules of the executive branch shall have no force or effect unless a joint resolution of approval is enacted into law, by a yea-and-nay vote of 235 yeas to 180 nays, Roll No. 890, after the previous question was ordered by a yea-and-nay vote of 236 yeas to 184 nays, Roll No. 889.

Pages H8146–52, H8167–69

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

Pandemic and All-Hazards Preparedness Reauthorization Act of 2011: H.R. 2405, amended, to reauthorize certain provisions of the Public Health Service Act and the Federal Food, Drug, and Cosmetic Act relating to public health preparedness and countermeasure development;

Pages H8153–59

SOAR Technical Corrections Act: H.R. 3237, amended, to amend the SOAR Act by clarifying the scope of coverage of the Act;

Pages H8159–60

Promoting the development of the Southwest waterfront in the District of Columbia: H.R. 2297, amended, to promote the development of the Southwest waterfront in the District of Columbia;

Pages H8160–61

Amending 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: H.R. 2471, amended, 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, by a $\frac{2}{3}$ yea-and-nay vote of 303 yeas to 116 nays, Roll No. 891;

Pages H8161–65, H8169

Temporary Bankruptcy Judgeships Extension Act of 2011: H.R. 1021, amended, to prevent the termination of the temporary office of bankruptcy judges in certain judicial districts;

Pages H8165–67

Granting the consent of Congress to an amendment to a compact between the States of Missouri and Illinois: S.J. Res. 22, amended, to grant the consent of Congress to an amendment to the compact between the States of Missouri and Illinois providing that bonds issued by the Bi-State Development Agency may mature in not to exceed 40 years;

Pages H8169–72

Amending title 36, United States Code, to authorize the American Legion under its Federal charter to provide guidance and leadership to the individual departments and posts of the American Legion: S. 1639, to amend title 36, United States Code, to authorize the American Legion under its Federal charter to provide guidance and leadership to the individual departments and posts of the American Legion; and

Pages H8172–73

Revising the Federal charter for the Blue Star Mothers of America, Inc. to reflect a change in eligibility requirements for membership: S. 1541, to revise the Federal charter for the Blue Star Mothers of America, Inc. to reflect a change in eligibility requirements for membership.

Pages H8173–74

Recess: The House recessed at 1:54 p.m. and reconvened at 2:51 p.m.

Page H8161

Senate Message: Message received from the Senate by the Clerk and subsequently presented to the House today appears on page H8178.

Senate Referrals: S. 384 was held at the desk.

Quorum Calls—Votes: Three yea-and-nay votes developed during the proceedings of today and appear on pages H8167–68, H8168–69, and H8169. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 7 p.m.

Committee Meetings

LEGISLATIVE MEASURES

Committee on Financial Services: Full Committee held a hearing on H.R. 1148, the “Stop Trading on Congressional Knowledge Act.” Testimony was heard from Rep. Jones; Rep. Slaughter; Rep. Walz of Minnesota; Robert Khuzami, Director, Division of Enforcement, Securities and Exchange Commission; Jack Maskell, Legislative Attorney, Congressional Research Service; and public witnesses.

LEGISLATIVE MEASURES

Committee on Homeland Security: Subcommittee on Cybersecurity, Infrastructure Protection and Security Technologies held a hearing entitled “Hearing on Draft Legislative Proposal on Cybersecurity.” Testimony was heard from public witnesses.

JIHADIST USE OF SOCIAL MEDIA

Committee on Homeland Security: Subcommittee on Counterterrorism and Intelligence held a hearing entitled “Jihadist Use of Social Media—How to Prevent Terrorism and Preserve Innovation.” Testimony was heard from public witnesses.

LEGISLATIVE MEASURES

Committee on the Judiciary: Subcommittee on the Constitution held a hearing on H.R. 3541, the “Susan B. Anthony and Frederick Douglass Prenatal Non-discrimination Act (PRENDA) of 2011.” Testimony was heard from public witnesses.

ENDANGERED SPECIES ACT

Committee on Natural Resources: Full Committee held a hearing entitled “The Endangered Species Act: How Litigation is Costing Jobs and Impeding True Recovery Efforts.” Testimony was heard from Dan Ashe, Director, Fish and Wildlife Service; Eric Schwaab, Assistant Administrator for Fisheries, National Oceanic and Atmospheric Administration; and public witnesses.

JAMES WEBB SPACE TELESCOPE

Committee on Science, Space, and Technology: Full Committee held a hearing entitled “The Next Great Observatory: Assessing the James Webb Space Telescope.” Testimony was heard from Rick Howard, Program Director, James Webb Space Telescope, NASA; and public witnesses.

HIGH SPEED AND INTERCITY PASSENGER RAIL PROGRAM

Committee on Transportation and Infrastructure: Full Committee held a hearing entitled “The Federal Railroad Administration’s High Speed and Intercity Passenger Rail Program: Mistakes and Lessons Learned.” Testimony was heard from Ray LaHood, Secretary, Department of Transportation; and public witnesses.

Joint Meetings

No joint committee meetings were held.

COMMITTEE MEETINGS FOR WEDNESDAY, DECEMBER 7, 2011

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Banking, Housing, and Urban Affairs: Subcommittee on Financial Institutions and Consumer Protection, to hold hearings to examine enhanced supervision, focusing on a new regime for regulating large, complex financial institutions, 2 p.m., SD–538.

Committee on Commerce, Science, and Transportation: to hold hearings to examine turning the investigation on the science of forensics, 2:30 p.m., SR–253.

Committee on Finance: to hold hearings to examine drug shortages, focusing on why they happen and what they mean, 10 a.m., SD–215.

Committee on Homeland Security and Governmental Affairs: to hold a joint hearing with the House Committee on Homeland Security to examine homegrown terrorism, focusing on the threat to military communities inside the United States, 9:30 a.m., HVC–210.

Subcommittee on Oversight of Government Management, the Federal Workforce, and the District of Columbia, with the Ad Hoc Subcommittee on Disaster Recovery and Intergovernmental Affairs, to hold joint hearings to examine earthquakes to terrorist attacks, focusing on if the national capital region is prepared for the next disaster, 2:30 p.m., SD–342.

Committee on the Judiciary: to hold hearings to examine reauthorizing the EB–5 Regional Center Program, focusing on promoting job creation and economic development in American communities, 10 a.m., SD–226.

United States Senate Caucus on International Narcotics Control: to hold hearings to examine government efforts to curtail marijuana cultivation on United States public lands, focusing on exploitation of public lands as grow sites for marijuana and discuss barriers to the criminal prosecution of drug traffickers, 2:30 p.m., SD–562.

House

Committee on Financial Services, Subcommittee on Oversight and Investigations, business meeting for the purpose of authorizing and issuing a subpoena ad testificandum for the appearance of Jon Corzine in conjunction with the

hearing scheduled for Thursday, December 15, 2011, 3 p.m., 2128 Rayburn.

Subcommittee on Capital Markets and Government Sponsored Enterprises, hearing entitled “H.R. _____, the Private Mortgage Market Investment Act, Part 2.” 10 a.m., 2128 Rayburn.

Committee on Foreign Affairs, Subcommittee on Oversight and Investigations; and Subcommittee on Middle East and South Asia; joint hearing entitled “Camp Ashraf: Iraqi Obligations and State Department Accountability.” 2:30 p.m., 2172 Rayburn.

Committee on the Judiciary, Subcommittee on Intellectual Property, Competition and the Internet, hearing entitled “Oversight of the Antitrust Enforcement Agencies.” 10 a.m., 2141 Rayburn.

Subcommittee on Immigration Policy and Enforcement, hearing entitled “Visa Waiver Program Oversight: Risks and Benefits of the Program.” 1:30 p.m., 2237 Rayburn.

Committee on Oversight and Government Reform, Subcommittee on Government Organization, Efficiency and Financial Management; and Subcommittee on Health Care, District of Columbia, Census and the National Archives, joint hearing entitled “A Medicaid Fraud Victim Speaks Out: What’s Going Wrong and Why?” 10 a.m., 2154 Rayburn.

Subcommittee on National Security, Homeland Defense and Foreign Operations, hearing entitled “Oversight

in Iraq and Afghanistan: Challenges and Solutions.” 10 a.m., 2247 Rayburn.

Committee on Rules, Full Committee, hearing on H.R. 1633, the “Farm Dust Regulation Prevention Act of 2011” 3 p.m., H-313 Capitol.

Committee on Science, Space, and Technology, Subcommittee on Energy and Environment, hearing entitled “Energy Critical Elements: Identifying Research Needs and Strategic Priorities.” 10 a.m., 2318 Rayburn.

Committee on Transportation and Infrastructure, Full Committee, hearing entitled “Restoring Jobs, Coastal Viability and Economic Resilience in the Gulf of Mexico: H.R. 3096, the Resources and Ecosystems Sustainability, Tourist Opportunities, and Revived Economies of the Gulf Coast States Act of 2011.” 10 a.m., 2167 Rayburn.

Joint Meetings

Commission on Security and Cooperation in Europe: to receive a briefing on conflicts in the Caucasus, focusing on prospects for resolution, where these conflicts stand today, what factors impede a settlement, whether the resumption of armed hostilities is a serious threat, whether changes in the negotiating format might yield a better outcome, and what, if anything, could the United States do to facilitate a resolution, 2:30 p.m., B318, Rayburn Building.

Next Meeting of the SENATE

11:30 a.m., Wednesday, December 7

Next Meeting of the HOUSE OF REPRESENTATIVES

10 a.m., Wednesday, December 7

Senate Chamber

Program for Wednesday: Senate will be in a period of morning business.

House Chamber

Program for Wednesday: Consideration of H.R. 10—Regulations From the Executive in Need of Scrutiny Act of 2011 (Subject to a Rule).

Extensions of Remarks, as inserted in this issue

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