

# Daily Digest

## HIGHLIGHTS

Senate agreed to the conference report to accompany H.R. 3630, Middle Class Tax Relief and Job Creation Act.

House agreed to the Conference Report to accompany H.R. 3630, Middle Class Tax Relief and Job Creation Act.

## Senate

### Chamber Action

*Routine Proceedings, pages S879–1023*

**Measures Introduced:** Eight bills were introduced, as follows: S. 2123–2130. **Page S909**

#### Measures Passed:

**World Choir Games Month:** Committee on Foreign Relations was discharged from further consideration of S. Res. 325, recognizing the 2012 World Choir Games in Cincinnati, Ohio, as a global event of cultural significance to the United States and expressing support for designation of July 2012 as World Choir Games Month in the United States, and the resolution was then agreed to. **Pages S1019–20**

**Condemning Violence against the Syrian People:** Senate agreed to S. Res. 379, condemning violence by the Government of Syria against the Syrian people. **Pages S1020–21**

#### Measures Considered:

**Moving Ahead for Progress in the 21st Century:** Senate continued consideration of S. 1813, to reauthorize Federal-aid highway and highway safety construction programs, taking action on the following amendments proposed thereto: **Pages S885–86, S892**

#### Pending:

Reid Amendment No. 1730, of a perfecting nature. **Page S892**

#### Withdrawn:

Reid Motion to recommit the bill to the Committee on Environment and Public Works, with instructions, Reid Amendment No. 1635, to change the enactment date. **Page S885**

Reid Amendment No. 1633, of a perfecting nature. **Page S885**

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

By 54 yeas to 42 nays (Vote No. 20), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to close further debate on Reid Amendment No. 1633 (listed above). **Page S886**

Reid Amendment No. 1636 (to (the instructions) Amendment No. 1635), of a perfecting nature, fell when Reid Motion to recommit the bill to the Committee on Environment and Public Works, with instructions, Reid Amendment No. 1635, was withdrawn. **Page S885**

Reid Amendment No. 1637 (to Amendment No. 1636), of a perfecting nature, fell when Reid Amendment No. 1636 (to (the instructions) Amendment No. 1635), fell. **Page S885**

Reid Amendment No. 1634 (to Amendment No. 1633), to change the enactment date, fell when Reid Amendment No. 1633, was withdrawn. **Page S885**

#### Conference Reports:

**Middle Class Tax Relief and Job Creation Act:** By 60 yeas to 36 nays (Vote No. 22), Senate agreed to the conference report to accompany H.R. 3630, to extend the payroll tax holiday, unemployment compensation, Medicare physician payment, provide for the consideration of the Keystone XL pipeline. **Pages S888–92**

**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 S1020**

**Signing Authority—Agreement:** A unanimous-consent agreement was reached providing that from Friday, February 17, 2012 through Monday, February 27, 2012, the Majority Leader be authorized to sign duly enrolled bills or joint resolutions.

**Page S1020**

**Pro Forma—Agreement:** A unanimous-consent agreement was reached providing that Senate adjourn until 12 p.m., on Tuesday, February 21, 2012 and convene for a pro forma session only with no business conducted and that following the pro forma session, Senate adjourn until 11 a.m., on Friday, February 24, 2012 and convene for a pro forma session only with no business conducted and that following the pro forma session, Senate adjourn until 2 p.m., on Monday, February 27, 2012.

**Page S1021**

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

Transmitting, pursuant to law, the Economic Report of the President dated February 2012 with the Annual Report of the Council of Economic Advisers for 2012; which was referred to the Joint Economic Committee. (PM-41)

**Pages S906-07**

**Brodie Nomination—Agreement:** A unanimous-consent-time agreement was reached providing that at 4:30 p.m., on Monday, February 27, 2012, Senate will begin consideration of the nomination of Margo Kitsy Brodie, of New York, to be United States District Judge for the Eastern District of New York; that there be 60 minutes 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.

**Page S1019**

**Nominations Confirmed:** Senate confirmed the following nominations:

By 62 yeas to 34 nays (Vote No. EX. 21), Jesse M. Furman, of New York, to be United States District Judge for the Southern District of New York.

**pages S886-88**

A unanimous-consent agreement was reached providing that the previously scheduled vote on the motion to invoke cloture on the nomination, be withdrawn.

**Page S886**

- 34 Air Force nominations in the rank of general.
- 85 Army nominations in the rank of general.
- 7 Marine Corps nominations in the rank of general.
- 6 Navy nominations in the rank of admiral.

Routine lists in the Air Force, Army, Foreign Service, Marine Corps, and Navy. **Pages S1021-23**

**Nominations Received:** Senate received the following nominations:

Major General John Peabody, United States Army, to be a Member and President of the Mississippi River Commission.

C. Peter Mahurin, of Kentucky, to be a Member of the Board of Directors of the Tennessee Valley Authority for a term expiring May 18, 2016.

Mark A. Pekala, of Maryland, to be Ambassador to the Republic of Latvia.

Richard B. Norland, of Iowa, to be Ambassador to Georgia.

Jeffrey D. Levine, of California, to be Ambassador to the Republic of Estonia.

Makila James, of the District of Columbia, to be Ambassador to the Kingdom of Swaziland.

Carlos Pascual, of the District of Columbia, to be an Assistant Secretary of State (Energy Resources).

Erica Lynn Groshen, of New York, to be Commissioner of Labor Statistics, Department of Labor, for a term of four years.

**Page S1021**

**Messages from the House:**

**Page S907**

**Measures Placed on the Calendar:** **Pages S879, S907**

**Executive Reports of Committees:** **Pages S907-09**

**Additional Cosponsors:** **Pages S909-10**

**Statements on Introduced Bills/Resolutions:**

**Pages S910-12**

**Amendments Submitted:**

**Pages S912-1019**

**Record Votes:** Three record votes were taken today. (Total—22)

**Page S886, S888, S892**

**Adjournment:** Senate convened at 10 a.m. and adjourned at 2:27 p.m., until 12 p.m. on Tuesday, February 21, 2012. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S1021.)

## *Committee Meetings*

*(Committees not listed did not meet)*

### **BUSINESS MEETING**

*Committee on Armed Services:* Committee ordered favorably reported the nomination of Mark William Lippert, of Ohio, to be an Assistant Secretary of Defense, and 2,432 nominations in the Army, Navy, Air Force, and Marine Corps.

# House of Representatives

## *Chamber Action*

**Public Bills and Resolutions Introduced:** 15 public bills, H.R. 4071–4085; and 9 resolutions, H.J. Res. 104; H. Con. Res. 103–104; and H. Res. 556–561 were introduced. **Pages H943–44**

**Additional Cosponsors:** **Pages H944–45**

**Report Filed:** A report was filed today as follows: H.R. 1433, to protect private property rights, with an amendment (H. Rept. 112–401). **Page H943**

**Journal:** The House agreed to the Speaker's approval of the Journal by voice vote. **Pages H905, H927**

**Middle Class Tax Relief and Job Creation Act—Conference Report:** The House agreed to the conference report to accompany H.R. 3630, to provide incentives for the creation of jobs, to provide incentives for the creation of jobs, by a yea-and-nay vote of 293 yeas to 132 nays, Roll No. 72. **Pages H907–27**

H. Res. 554, the rule providing for consideration of the conference report, was agreed to by voice vote after the previous question was ordered without objection. **Page H926**

**Committee on Ethics—Communication:** Read a letter from Chairman Bonner wherein he transmitted, pursuant to rule XI, clause 3(b)(5) and Committee Rule (9)(e), and with the unanimous approval of the Committee on Ethics, a written request for the appointment of six substitute Members, necessitated by voluntary recusals, to serve for any Committee proceeding related to the Matter of Representative Maxine Waters currently before the Committee on Ethics. **Pages H927–28**

**Committee on Ethics—Speaker's Designation:** Pursuant to clause 3(b)(5) of rule XI, the Chair announced the Speaker's designation of the following Members to act in any proceeding of the Committee on Ethics relating to the Matter of Representative Maxine Waters: Representatives Goodlatte, LaTourette, Simpson, Capito, Griffin (AR), and Sarbanes. **Page H928**

**Directing the Clerk of the House of Representatives to provide a copy of the on-the-record portions of the audio backup file of the deposition of William R. Clemens:** The House agreed to H. Res. 558, directing the Clerk of the House of Representatives to provide a copy of the on-the-record portions of the audio backup file of the deposition of William R. Clemens that was conducted by the Committee on Oversight and Government Reform on February 5, 2008, to the prosecuting attorneys in

the case of United States of America v. Clemens, No. 1:10-cr-00223—RBW (D.D.C.). **Page H928**

**Meeting Hour:** Agreed that when the House adjourns today, it adjourn to meet at 12 noon on Tuesday, February 21st; when the House adjourns on that day, it adjourn to meet at 10 a.m. on Friday, February 24th; and when the House adjourns on that day, it adjourn to meet at 2 p.m. on Monday, February 27th. **Page H928**

**Presidential Message:** Read a message from the President wherein he transmitted to Congress the Economic Report of the President—referred to the Joint Economic Committee and ordered to be printed (H. Doc. 112–77). **Pages H938–39**

**Senate Message:** Message received from the Senate today appears on page H935.

**Quorum Calls—Votes:** One yea-and-nay vote developed during the proceedings of today and appears on page H927. There were no quorum calls.

**Adjournment:** The House met at 9 a.m. and adjourned at 2:08 p.m.

## *Committee Meetings*

### APPROPRIATIONS—FOREST SERVICE

*Committee on Appropriations:* Subcommittee on Interior, Environment, and Related Agencies held a hearing on FY 2013 budget request for the Forest Service. Testimony was heard from Tom Tidwell, Chief, Forest Service.

### APPROPRIATIONS—DEPARTMENT OF AGRICULTURE

*Committee on Appropriations:* Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies held a hearing on FY 2013 budget request Department of Agriculture. Testimony was heard from the following officials of the Department of Agriculture: Thomas Vilsack, Secretary; Kathleen Merrigan, Deputy Secretary; Joseph Glauber, Chief Economist; and Michael Young, Budget Officer.

### NATIONAL DEFENSE AUTHORIZATION BUDGET REQUEST—DEPARTMENT OF THE ARMY

*Committee on Armed Services:* Full Committee held a hearing on FY 2013 National Defense Authorization Budget Request from the Department of the Army. Testimony was heard from John McHugh, Secretary, Department of the Army; and Raymond Odierno, Chief of Staff, U.S. Army.

**LITIGATION AS A PREDATORY PRACTICE**

*Committee on the Judiciary:* Subcommittee on Intellectual Property, Competition and the Internet held a hearing entitled “Litigation as a Predatory Practice.” Testimony was heard from public witnesses.

**LEGISLATIVE MEASURES**

*Committee on Natural Resources:* Subcommittee on Energy and Mineral Resources held a hearing on H.R. 785, to amend the Surface Mining Control and Reclamation Act of 1977 to clarify that uncertified States and Indian tribes have the authority to use certain payment for certain noncoal reclamation projects. Testimony was heard from Representatives Pearce and Luján; Al Whitehouse, Chief of Reclamation Support, Office of Surface Reclamation and Enforcement; and public witnesses.

**FISH AND WILDLIFE SERVICE'S COMPREHENSIVE CONSERVATION PLAN AND ITS IMPACT ON CHINCOTEAGUE, VIRGINIA**

*Committee on Natural Resources:* Subcommittee on Fisheries, Wildlife, Oceans and Insular Affairs held a hearing entitled “Fish and Wildlife Service’s Proposed Comprehensive Conservation Plan and its Potential Devastating Impact on the Economy of the Town of Chincoteague, Virginia.” Testimony was heard from Wendi Weber, Regional Director, Fish and Wildlife Service; Jack Tarr, Mayor, Chincoteague, Virginia; and public witnesses.

**EXAMINING DUPLICATIVE IT INVESTMENTS AT DOD AND DOE**

*Committee on Oversight and Government Reform:* Subcommittee on Technology, Information Policy, Inter-

governmental Relations and Procurement Reform held a hearing entitled “How Much is Too Much? Examining Duplicative IT Investments at DOD and DOE.” Testimony was heard from David Powner, Director, Information Technology Management Issues, Government Accountability Office; Teresa Takai, Chief Information Officer, Department of Defense; Richard Spires, Chief Information Officer, Department of Homeland Security; and Michael W. Locatis III, Chief Information Officer, Department of Energy.

**OVERVIEW OF ADMINISTRATION'S FEDERAL RESEARCH AND DEVELOPMENT BUDGET FOR FY 2013**

*Committee on Science, Space, and Technology:* Full Committee held a hearing entitled “An Overview of the Administration’s Federal Research and Development Budget for Fiscal Year 2013.” Testimony was heard from John P. Holdren, Director, Office of Science and Technology Policy.

***Joint Meetings***

No joint committee meetings were held.

**COMMITTEE MEETINGS FOR TUESDAY, FEBRUARY 21, 2012**

*(Committee meetings are open unless otherwise indicated)*

**Senate**

No meetings/hearings scheduled.

**House**

No hearings are scheduled.

*Next Meeting of the SENATE*

12 p.m., Tuesday, February 21

*Next Meeting of the HOUSE OF REPRESENTATIVES*

12 p.m., Tuesday, February 21

## Senate Chamber

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

## House Chamber

Program for Tuesday: The House will meet in pro forma session at 12 noon.

## Extensions of Remarks, as inserted in this issue

## HOUSE

Amodei, Mark E., Nev., E233  
 Berkley, Shelley, Nev., E228  
 Biggert, Judy, Ill., E226  
 Bishop, Sanford D., Jr., Ga., E230  
 Boren, Dan, Okla., E224  
 Brown, Corrine, Fla., E227, E232  
 Castor, Kathy, Fla., E225, E230  
 Cleaver, Emanuel, Mo., E232  
 Coffman, Mike, Colo., E234  
 Connolly, Gerald E., Va., E232, E233

Costa, Jim, Calif., E230  
 Denham, Jeff, Calif., E227  
 Edwards, Donna F., Md., E230  
 Gerlach, Jim, Pa., E223  
 Heinrich, Martin, N.M., E234  
 Honda, Michael M., Calif., E231  
 Johnson, Timothy V., Ill., E229, E231  
 Larson, John B., Conn., E225  
 Maloney, Carolyn B., N.Y., E233  
 Marchant, Kenny, Tex., E226  
 Mulvaney, Mick, S.C., E232  
 Oliver, John W., Mass., E232

Peters, Gary C., Mich., E225  
 Renacci, James B., Ohio, E228  
 Richmond, Cedric L., La., E223  
 Roe, David P., Tenn., E228, E234  
 Schiff, Adam B., Calif., E229  
 Serrano, José E., N.Y., E228  
 Shuster, Bill, Pa., E227  
 Smith, Christopher H., N.J., E224  
 Thompson, Bennie G., Miss., E226  
 Visclosky, Peter J., Ind., E223  
 Young, C.W. Bill, Fla., E225, E229



# Congressional Record

printed pursuant to directions of the Joint Committee on Printing as authorized by appropriate provisions of Title 44, United States Code, and published for each day that one or both Houses are in session, excepting very infrequent instances when two or more unusually small consecutive issues are printed one time. ¶Public access to the *Congressional Record* is available online through the U.S. Government Printing Office at [www.gpo.gov](http://www.gpo.gov), free of charge to the user. The information is updated online each day the *Congressional Record* is published. For more information, contact the GPO Customer Contact Center, U.S. Government Printing Office. Phone 202-512-1800, or 866-512-1800 (toll-free). E-Mail, [contactcenter@gpo.gov](mailto:contactcenter@gpo.gov). ¶The *Congressional Record* paper and 24x microfiche edition will be furnished by mail to subscribers, free of postage, at the following prices: paper edition, \$252.00 for six months, \$503.00 per year, or purchased as follows: less than 200 pages, \$10.50; between 200 and 400 pages, \$21.00; greater than 400 pages, \$31.50, payable in advance; microfiche edition, \$146.00 per year, or purchased for \$3.00 per issue payable in advance. The semimonthly *Congressional Record Index* may be purchased for the same per issue prices. To place an order for any of these products, visit the U.S. Government Online Bookstore at: [bookstore.gpo.gov](http://bookstore.gpo.gov). Mail orders to: Superintendent of Documents, P.O. Box 979050, St. Louis, MO 63197-9000, or phone orders to 866-512-1800 (toll-free), 202-512-1800 (D.C. area), or fax to 202-512-2104. Remit check or money order, made payable to the Superintendent of Documents, or use VISA, MasterCard, Discover, American Express, or GPO Deposit Account. ¶Following each session of Congress, the daily *Congressional Record* is revised, printed, permanently bound and sold by the Superintendent of Documents in individual parts or by sets. ¶With the exception of copyrighted articles, there are no restrictions on the republication of material from the *Congressional Record*.

**POSTMASTER:** Send address changes to the Superintendent of Documents, *Congressional Record*, U.S. Government Printing Office, Washington, D.C. 20402, along with the entire mailing label from the last issue received.