

Sweden, all of the Department of State, after the nominees testified and answered questions in their own behalf.

NOMINATION

Committee on Homeland Security and Governmental Affairs: Committee concluded a hearing to examine the nomination of Ernest Mitchell, Jr., of California, to be Administrator of the United States Fire Administration, Federal Emergency Management Agency, Department of Homeland Security, after the nominee testified and answered questions in his own behalf.

FOOD SERVICE MANAGEMENT CONTRACTS

Committee on Homeland Security and Governmental Affairs: Ad Hoc Subcommittee on Contracting Oversight concluded a hearing to examine food service

management contracts, focusing on if contractors are overcharging the government, after receiving testimony from Phyllis K. Fong, Inspector General, Office of Inspector General, Department of Agriculture; John F. Carroll, State of New York Assistant Attorney General, New York; and Charles Tiefer, University of Baltimore School of Law, Baltimore, Maryland.

THE ROLE OF JUDGES UNDER THE CONSTITUTION

Committee on the Judiciary: Committee concluded a hearing to examine considering the role of judges under the Constitution of the United States, after receiving testimony from Associate Justice Stephen Breyer, and Associate Justice Antonin Scalia, both of The Supreme Court of the United States.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 20 public bills, H.R. 3094–3113; and 3 resolutions, H. Res. 422–424 were introduced. **Pages H6623–25**

Additional Cosponsors: **Pages H6625–27**

Reports Filed: Reports were filed today as follows:

H.R. 2594, to prohibit operators of civil aircraft of the United States from participating in the European Union's emissions trading scheme, and for other purposes (H. Rept. 112–232 Pt. 1);

H.R. 1025, to amend title 38, United States Code, to recognize the service in the reserve components of certain persons by honoring them with status as veterans under law (H. Rept. 112–233);

H.R. 1263, to amend the Servicemembers Civil Relief Act to provide surviving spouses with certain protections relating to mortgages and mortgage foreclosures, with amendments (H. Rept. 112–234);

H.R. 2074, to amend title 38, United States Code, to require a comprehensive policy on reporting and tracking sexual assault incidents and other safety incidents that occur at medical facilities of the Department of Veterans Affairs, with amendments (H. Rept. 112–235); and

H.R. 2302, to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to notify Congress of conferences sponsored by the Department of Veterans Affairs, with amendments (H. Rept. 112–236). **Page H6623**

Speaker: Read a letter from the Speaker wherein he appointed Representative Hartzler to act as Speaker pro tempore for today. **Page H6557**

Recess: The House recessed at 11:15 a.m. and reconvened at 12 noon. **Page H6566**

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

Returning unused or reclaimed funds made available for broadband awards in the American Recovery and Reinvestment Act of 2009: H.R. 1343, amended, to return unused or reclaimed funds made available for broadband awards in the American Recovery and Reinvestment Act of 2009 to the Treasury of the United States. **Pages H6570–73**

Cement Sector Regulatory Relief Act of 2011: The House began consideration of H.R. 2681, to provide additional time for the Administrator of the Environmental Protection Agency to issue achievable standards for cement manufacturing facilities. **Pages H6573–H6617**

Pursuant to the rule, the amendment in the nature of a substitute recommended by the Committee on Energy and Commerce now printed in the bill shall be considered as an original bill for the purpose of amendment under the five-minute rule. **Page H6581**

Rejected:

Waxman amendment (No. 11 printed in the Congressional Record of October 4, 2011) that sought to add a section to instruct the EPA Administrator not

to delay actions to reduce emissions from any cement kiln if such emissions are harming brain development or causing learning disabilities in infants or children (by a recorded vote of 166 ayes to 246 noes, Roll No. 747); **Pages H6581–87, H6605**

Rush amendment (No. 7 printed in the Congressional Record of October 4, 2011) that sought to add a subsection stating that section 5 is intended to supplement the provisions of, and shall not be construed to supersede any requirement, limitation, or other provision of, sections 112 and 129 of the Clean Air Act (by a recorded vote of 162 ayes to 251 noes, Roll No. 748); **Pages H6587–89, H6605–06**

Capps amendment (No. 17 printed in the Congressional Record of October 4, 2011) that sought to add a section to include findings for health costs and benefits for the rules specified in section 3(b) (by a recorded vote of 158 ayes to 254 noes, Roll No. 749); **Pages H6589–92, H6606–07**

Schakowsky amendment (No. 1 printed in the Congressional Record of October 4, 2011) that sought to add a section that finds that mercury released into the ambient air from cement kilns addressed by the rules listed in section 2(b) of this Act is a potent neurotoxin (by a recorded vote of 175 ayes to 248 noes, Roll No. 750); **Pages H6592–95, H6607**

Waxman amendment (No. 9 printed in the Congressional Record of October 4, 2011) that sought to require the Director of the Office of Management and Budget to make a determination regarding whether this Act authorizes the appropriation of funds to implement this Act (by a recorded vote of 167 ayes to 254 noes, Roll No. 751); **Pages H6595–96, H6607–08**

Waxman amendment (No. 16 printed in the Congressional Record of October 4, 2011) that sought to add a section that finds that if the rules specified in section 3(b) remain in effect, they are expected to reduce the amount of mercury that deposits to land and water (by a recorded vote of 169 ayes to 254 noes, Roll No. 752); **Pages H6596, H6608–09**

Pallone amendment (No. 21 printed in the Congressional Record of October 4, 2011) that sought to add a section that finds that Federal departments should support efforts to achieve the objectives for improving the health of all Americans through reduced exposure to mercury that are established in Healthy People 2020 and to add a section relating to the reduction of blood-mercury concentrations (by a recorded vote of 166 ayes to 254 noes, Roll No. 753); **Pages H6596–98, H6609**

Jackson Lee amendment (No. 4 printed in the Congressional Record of October 4, 2011) that sought to strike in the Compliance Dates section “not earlier than 5 years after the effective date of

the regulation” and insert “not later than 3 years after the regulation is promulgated as final” (by a recorded vote of 162 ayes to 262 noes, Roll No. 754); **Pages H6598–99, H6609–10**

Quigley amendment (No. 8 printed in the Congressional Record of October 4, 2011) that sought to add a section relating to Protection from Avoidable Cases of Cancer (by a recorded vote of 175 ayes to 248 noes, Roll No. 755); **Pages H6599–H6600, H6610–11**

Connolly amendment (No. 18 printed in the Congressional Record of October 4, 2011) that sought to add a section relating to Protection from Respiratory and Cardiovascular Illness and Death (by a recorded vote of 176 ayes to 248 noes, Roll No. 756); **Pages H6600–01, H6611**

Welch amendment (No. 20 printed in the Congressional Record of October 4, 2011) that sought to add a section that finds that the American people are exposed to mercury from industrial sources addressed by the rules listed in section 2(b) of this Act through the consumption of fish containing mercury and every State in the Nation has issued at least one mercury advisory for fish consumption (by a recorded vote of 174 ayes to 249 noes, Roll No. 757); **Pages H6601–02, H6611–12**

Moore amendment (No. 2 printed in the Congressional Record of October 4, 2011) that sought to state that the Act shall not take effect until the President certifies that implementation will not adversely affect public health in the United States and will not have a disproportionately negative impact on subpopulations that are most at risk from hazardous air pollutants (by a recorded vote of 167 ayes to 256 noes, Roll No. 758); and **Pages H6602–04, H6612–13**

Ellison amendment (No. 14 printed in the Congressional Record of October 4, 2011) that sought to require that not later than 60 days after the enactment of the Act, the Administrator shall publish a notice in the Federal Register estimating the public health impact of delaying regulation for the Portland cement manufacturing industry and Portland cement plants (by a recorded vote of 170 ayes to 252 noes, Roll No. 759). **Pages H6604–05, H6613**

Proceedings Postponed:

Cohen amendment (No. 23 printed in the Congressional Record of October 4, 2011) that seeks to insert a subparagraph relating to potential reductions in the number of illness-related absences from work due to respiratory or other illnesses; **Pages H6613–14**

Keating amendment (No. 5 printed in the Congressional Record of October 4, 2011) that seeks to insert a paragraph relating to a date for compliance with standards and requirements under such regulation in accordance with section 112(i)(3) of the Clean Air Act; and **Pages H6614–15**

Edwards amendment (No. 3 printed in the Congressional Record of October 4, 2011) that seeks to add a section that finds that if the rules specified in section 3(b) remain in effect, they will yield annual public health benefits of \$6,700,000,000 to \$18,000,000,000, while the costs of such rules are \$926,000,000 to \$950,000,000. **Pages H6615–17**

H. Res. 419, the rule providing for consideration of the bills (H.R. 2681) and (H.R. 2250) was agreed to yesterday, October 4th.

Meeting Hour: Agreed that when the House adjourns today, it adjourn to meet at 9 a.m. tomorrow, October 6th. **Page H6617**

Senate Message: Message received from the Senate today appears on page H6566.

Quorum Calls—Votes: Thirteen recorded votes developed during the proceedings of today and appear on pages H6605, H6606, H6606–07, H6607, H6608, H6608–09, H6609, H6610, H6610–11, H6611, H6612, H6612–13, H6613. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 8:32 p.m.

Committee Meetings

WORKPLACE SAFETY

Committee on Education and the Workforce: Subcommittee on Workforce Protections held a hearing entitled “Workplace Safety: Ensuring a Responsible Regulatory Environment.” Testimony was heard from David Michaels, Assistant Secretary, Occupational Safety and Health Administration, Department of Labor; and public witnesses.

CHILDREN’S PRIVACY IN AN ELECTRONIC WORLD

Committee on Energy and Commerce: Subcommittee on Commerce, Manufacturing, and Trade held a hearing entitled “Protecting Children’s Privacy in an Electronic World.” Testimony was heard from Mary Koelbel Engle, Associate Director, Division of Advertising Practices, Federal Trade Commission; and public witnesses.

LINE-BY-LINE BUDGET REVIEW

Committee on Energy and Commerce: Subcommittee on Oversight and Investigations, hearing entitled “Administration Efforts on Line-by-Line Budget Review.” Testimony was heard from Clinton T. Brass, Analyst in Government Organization and Management, Congressional Research Service; and public witnesses.

MISCELLANEOUS MEASURES

Committee on Financial Services: Subcommittee on Capital Markets held a markup of the following: H.R. 1965, to amend the securities laws to establish certain thresholds for shareholder registration, and for other purposes; H.R. 2167, the “Private Company Flexibility and Growth Act”; H.R. 2930, the “Entrepreneur Access to Capital Act”; H.R. 2940, the “Access to Capital for Job Creators Act”; and legislation regarding the “Small Company Job Growth and Regulatory Relief Act of 2011.” The following were forwarded, as amended: H.R. 1965; H.R. 2167; H.R. 2930; H.R. 2940; and the legislation regarding the “Small Company Job Growth and Regulatory Relief Act of 2011.”

MISCELLANEOUS MEASURES

Committee on Foreign Affairs: Full Committee held a markup of the following: H.R. 2830, to authorize appropriations for fiscal years 2012 and 2013 for the Trafficking Victims Protection Act of 2000, and for other purposes; and H.R. 2059, to prohibit funding to the United Nations Population Fund; and legislation to authorize appropriations for fiscal years 2012 and 2013 for the Trafficking Victims Protection Act of 2000, and for other purposes. H.R. 2830 was ordered reported, as amended. H.R. 2059 was ordered reported without amendment.

INTELLIGENCE SHARING AND TERRORIST TRAVEL

Committee on Homeland Security: Subcommittee on Counterterrorism and Intelligence held a hearing entitled “Intelligence Sharing and Terrorist Travel: How DHS Addresses the Mission of Providing Security, Facilitating Commerce and Protecting Privacy for Passengers Engaged in International Travel.” Testimony was heard from Mary Ellen Callahan, Chief Privacy Officer, Department of Homeland Security, Thomas Bush, Executive Director of Automation and Targeting, Office of Intelligence and Investigative Liaison, Customs and Border Protection; and David Heyman, Assistant Secretary for Policy, Department of Homeland Security.

INTERNATIONAL NUCLEAR AND MARITIME TERRORISM AGREEMENTS

Committee on the Judiciary: Subcommittee on Crime, Terrorism, and Homeland Security held a hearing entitled “The Implementation of Certain International Nuclear and Maritime Terrorism Agreements.” Testimony was heard from Thomas M. Countryman, Assistant Secretary, Bureau of International Security and Nonproliferation, Department of State; and Brad Wiegmann, Principal Deputy Assistant Attorney General for National Security, Department of Justice.