

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S7163–S7228

Measures Introduced: Fourteen bills and three resolutions were introduced, as follows: S. 1817–1830, and S. Res. 315–317. **Page S7187**

Measures Reported:

Report to accompany S. 1487, to authorize the Secretary of Homeland Security, in coordination with the Secretary of State, to establish a program to issue Asia-Pacific Economic Cooperation Business Travel Cards. (S. Rept. No. 112–92)

S. 363, to authorize the Secretary of Commerce to convey property of the National Oceanic and Atmospheric Administration to the City of Pascagoula, Mississippi. **Page S7187**

Measures Passed:

St. Louis Cardinals World Series Victory: Senate agreed to S. Res. 315, commending the St. Louis Cardinals on their hard-fought World Series victory. **Pages S7170–71**

Honoring Zoos and Aquariums of the United States: Committee on Environment and Public Works was discharged from further consideration of S. Res. 132, recognizing and honoring the zoos and aquariums of the United States, and the resolution was then agreed to. **Page S7226**

Measures Considered:

3% Withholding Repeal and Job Creation Act—Agreement: Senate began consideration of H.R. 674, to amend the Internal Revenue Code of 1986 to repeal the imposition of 3 percent withholding on certain payments made to vendors by government entities, to modify the calculation of modified adjusted gross income for purposes of determining eligibility for certain health care-related programs, after agreeing to the motion to proceed, and taking action on the following amendment proposed thereto: **Pages S7173–83**

Pending:

Reid (for Tester) Amendment No. 927, to amend the Internal Revenue Code of 1986 to permit a 100 percent levy for payments to Federal vendors relating

to property, to require a study on how to reduce the amount of Federal taxes owed but not paid by Federal contractors, and to make certain improvements in the laws relating to the employment and training of veterans. **Page S7183**

A unanimous-consent agreement was reached providing for further consideration of the bill on Wednesday, November 9, 2011, upon use or yielding back of time on the motion to proceed to consideration of S.J. Res. 6, disapproving the rule submitted by the Federal Communications Commission with respect to regulating the Internet and broadband industry practices; that Senator McCain, or his designee, be recognized to offer a second-degree amendment No. 928; that no other amendments, points of order or motions be in order to either amendment or the bill prior to the votes other than budget points of order and the applicable motions to waive; that at 2:15 p.m., on Thursday, November 10, 2011, Senate continue consideration of the bill; that there be up to 15 minutes of debate on the bill and amendments to run concurrently, with the time equally divided between the two Leaders, or their designees; that upon the use or yielding back of time, Senate vote on or in relation to the amendments to the bill in the following order: McCain Amendment No. 928; and Reid (for Tester) Amendment No. 927 (listed above); that the McCain and Reid (for Tester) amendments be subject to a 60 affirmative vote threshold; that upon disposition of the amendments, Senate vote on passage of the bill, as amended, if amended; upon disposition of the bill, Senate vote on the motion to invoke cloture on the motion to proceed to consideration on H.R. 2354, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2012.

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Energy and Water Development and Related Agencies Appropriations Act—Agreement: Senate began consideration of the motion to proceed to consideration of H.R. 2354, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2012.

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A motion was entered to close further debate on the motion to proceed to consideration of the bill, and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, a vote on cloture will occur on Thursday, November 10, 2011.

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Subsequently, the motion to proceed was withdrawn.

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Cross-Border Air Pollution and Internet and Broadband Industry Practices Regulating—Agreement:

A unanimous-consent-time agreement was reached providing that at approximately 10:40 a.m., on Wednesday, November 9, 2011, Senate begin consideration of the motion to proceed to consideration of S.J. Res. 6, disapproving the rule submitted by the Federal Communications Commission with respect to regulating the Internet and broadband industry practices; provided further, at 10 a.m., on Thursday, November 10, 2011, Senate begin consideration of the motion to proceed to consideration of S.J. Res. 27, disapproving a rule submitted by the Environmental Protection Agency relating to the mitigation by States of cross-border air pollution under the Clean Air Act, as provided under the order of Thursday, November 3, 2011; that at noon, Senate resume consideration of the motion to proceed to consideration of S.J. Res. 6 and there be up to five minutes of debate, equally divided between the two Leaders, or their designees, prior to a vote on the motion to proceed to consideration of S.J. Res. 6; that following the vote, Senate vote on the motion to proceed to consideration of S.J. Res. 27; that there be two minutes equally divided between the votes; that if either or both motions to proceed are agreed to, then further debate and votes on the joint resolutions be deferred until 2:15 p.m. on Tuesday, November 15, 2011, with all other provisions of the previous orders regarding the joint resolutions remaining in effect.

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Kate Puzey Peace Corps Volunteer Protection Act—Agreement:

A unanimous-consent agreement was reached providing that the amendment to the title of S. 1280 as engrossed, set out in the heading of amendment no. 668, be considered to have been proposed and adopted as such.

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Nomination Confirmed: Senate confirmed the following nomination:

By a unanimous vote of 99 yeas (Vote No. EX. 199), Evan Jonathan Wallach, of New York, to be United States Circuit Judge for the Federal Circuit.

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Nominations Received: Senate received the following nominations:

Meredith M. Broadbent, of Virginia, to be a Member of the United States International Trade Commission for a term expiring June 16, 2017.

Anne Claire Richard, of New York, to be an Assistant Secretary of State (Population, Refugees, and Migration).

Tara D. Sonenshine, of Maryland, to be Under Secretary of State for Public Diplomacy.

Routine lists in the Foreign Service, and Public Health Service.

Pages S7227–28

Measures Placed on the Calendar: **Page S7186**

Executive Communications: **Pages S7186–87**

Additional Cosponsors: **Pages S7187–89**

Statements on Introduced Bills/Resolutions:
Pages S7189–95

Additional Statements: **Pages S7185–86**

Amendments Submitted: **Pages S7195–S7225**

Authorities for Committees to Meet:
Pages S7225–26

Record Votes: One record vote was taken today. (Total—199) **Page S7173**

Adjournment: Senate convened at 10 a.m. and adjourned at 8:12 p.m., until 9:30 a.m. on Wednesday, November 9, 2011. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S7226.)

Committee Meetings

(Committees not listed did not meet)

COUNTERFEIT ELECTRONIC PARTS

Committee on Armed Services: Committee concluded a hearing to examine the Committee's investigation into counterfeit electronic parts in the Department of Defense supply chain, after receiving testimony from Richard J. Hillman, Managing Director, Forensic Audits and Investigative Service, and Timothy Persons, Chief Scientist, Center for Science, Technology, and Engineering, both of the Government Accountability Office; Lieutenant General Patrick J. O'Reilly, USA, Director, Missile Defense Agency, Department of Defense; Thomas Sharpe, SMT Corporation; Brian Toohey, Semiconductor Industry Association; Vivek Kamath, Raytheon Company; Ralph L. DeNino, L-3 Communications; and Charles Dabundo, Boeing Company.

NATURAL GAS MARKET DEVELOPMENTS

Committee on Energy and Natural Resources: Committee concluded a hearing to examine market developments for United States natural gas, including the approval process and potential for liquefied natural