

Daily Digest

HIGHLIGHTS

Senate passed H.R. 674, 3% Withholding Repeal and Job Creation Act, as amended.

Senate

Chamber Action

Routine Proceedings, pages S7307–S7393

Measures Introduced: Twenty-one bills and two resolutions were introduced, as follows: S. 1839–1859, and S. Res. 320–321. **Pages S7367–68**

Measures Reported:

S. 598, to repeal the Defense of Marriage Act and ensure respect for State regulation of marriage.

Page S7366

Measures Passed:

3% Withholding Repeal and Job Creation Act: By a unanimous vote of 95 yeas, 1 responding present (Vote No. 204), Senate passed 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 taking action on the following amendments proposed thereto:

Pages S7336–46

Adopted:

By 94 yeas to 1 nay, 1 responding present (Vote No. 203), Reid (for Tester) Modified 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. (A unanimous-consent agreement was reached providing that the amendment, having achieved 60 affirmatives votes, be agreed to.)

Pages S7336–39

Rejected:

By 40 yeas to 56 nays, 1 responding present (Vote No. 202), McCain Amendment No. 928 (to Amendment No. 927), to provide American jobs through

economic growth. (A unanimous-consent agreement was reached providing that the amendment, having failed to achieve 60 affirmative votes, the amendment was not agreed to.) **Pages S7336, S7338**

Authorize Conveyance of Property: Senate passed S. 363, to authorize the Secretary of Commerce to convey property of the National Oceanic and Atmospheric Administration to the City of Pascagoula, Mississippi, after agreeing to the following amendment proposed thereto:

Page S7390

Cantwell (for Wicker) Amendment No. 942, to improve the bill.

Page S7390

Immigration and Nationality Act: Committee on the Judiciary was discharged from further consideration of H.R. 398, to amend the Immigration and Nationality Act to toll, during active-duty service abroad in the Armed Forces, the periods of time to file a petition and appear for an interview to remove the conditional basis for permanent resident status, and the bill was then passed.

Pages S7390–91

Small Business Saturday: Senate agreed to S. Res. 320, designating November 26, 2011, as “Small Business Saturday” and supporting efforts to increase awareness of the value of locally owned small businesses.

Page S7391

Federal Executive Boards 50th Anniversary: Senate agreed to S. Res. 321, commemorating the 50th anniversary of the Federal Executive Boards.

Pages S7391–92

Measures Considered:

Cross-Border Air Pollution: Senate began 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.

Pages S7310–24, S7326

During consideration of this measure today, Senate also took the following action: By 41 yeas to 56 nays

(Vote No. 201), Senate rejected the motion to proceed to consideration of the joint resolution.

Page S7326

Internet and Broadband Industry Practices Regulating: Senate continued 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.

Page S7324

During consideration of this measure today, Senate also took the following action: By 46 yeas to 52 nays (Vote No. 200), Senate rejected the motion to proceed to consideration of the joint resolution.

Pages S7325–26

Energy and Water Development and Related Agencies Appropriations Act—Agreement: Senate resumed 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.

Pages S7346–58

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

By 81 yeas to 14 nays (Vote No. 205), three-fifths of those Senators duly chosen and sworn, having voted in the affirmative, Senate agreed to the motion to close further debate on the motion to proceed to consideration of the bill.

Page S7347

A unanimous-consent agreement was reached providing that Senate begin consideration of the bill at 3 p.m., on Monday, November 14, 2011.

Page S7392

Signing Authority—Agreement: A unanimous-consent agreement was reached providing that from Thursday, November 10, 2011, through Monday, November 14, 2011, the Majority Leader be authorized to sign duly enrolled bills or joint resolutions.

Page S7326

Gleason and Rogers Nominations—Agreement: A unanimous-consent-time agreement was reached providing that at 11 a.m., on Tuesday, November 15, 2011, Senate will begin consideration of the nominations of Sharon L. Gleason, of Alaska, to be United States District Judge for the District of Alaska, and Yvonne Gonzalez Rogers, of California, to be United States District Judge for the Northern District of California; that there be one hour 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 nominations in the order listed; that no further motions be in order to any of the nominations.

Page S7390

Nominations Confirmed: Senate confirmed the following nominations:

6 Air Force nominations in the rank of general.

35 Army nominations in the rank of general.

4 Navy nominations in the rank of admiral.

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

Pages S7388–90, S7392–93

Nominations Received: Senate received the following nominations:

Richard Gary Taranto, of Maryland, to be United States Circuit Judge for the Federal Circuit.

Gonzalo P. Curiel, of California, to be United States District Judge for the Southern District of California.

John Z. Lee, of Illinois, to be United States District Judge for the Northern District of Illinois.

George Levi Russell III, of Maryland, to be United States District Judge for the District of Maryland.

John J. Tharp, Jr., of Illinois, to be United States District Judge for the Northern District of Illinois.

William B. Pollard III, of New York, to be a Judge of the United States Court of Military Commission Review.

Scott L. Silliman, of North Carolina, to be a Judge of the United States Court of Military Commission Review.

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Nomination Withdrawn: Senate received notification of withdrawal of the following nomination:

Edward Carroll DuMont, of the District of Columbia, to be United States Circuit Judge for the Federal Circuit, which was sent to the Senate on January 5, 2011.

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Messages from the House:

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Executive Communications:

Pages S7365–66

Executive Reports of Committees:

Pages S7366–67

Additional Cosponsors:

Pages S7368–69

Statements on Introduced Bills/Resolutions:

Pages S7369–85

Additional Statements:

Pages S7364–65

Amendments Submitted:

Pages S7385–88

Notices of Hearings/Meetings:

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Authorities for Committees to Meet:

Page S7388

Privileges of the Floor:

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Record Votes: Six record votes were taken today. (Total—205)

Pages S7325–26, S7338–39, S7347

Adjournment: Senate convened at 9:30 a.m. and adjourned at 5:33 p.m., until 2 p.m. on Monday, November 14, 2011. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S7392.)

Committee Meetings

(Committees not listed did not meet)

BUSINESS MEETING

Committee on Armed Services: Committee ordered favorably reported 4,022 nominations in the Army, Navy, and Air Force.

CHIEF OF THE NATIONAL GUARD BUREAU

Committee on Armed Services: Committee concluded a hearing to examine whether the Chief, National Guard Bureau should be a member of the Joint Chiefs of Staff, after receiving testimony from Jeh Charles Johnson, General Counsel, General Martin E. Dempsey, USA, Chairman, and Admiral James A. Winnefeld, Jr., USN, Vice Chairman, both of the Joint Chiefs of Staff, General Raymond T. Odierno, USA, Chief of Staff of the Army, Admiral Jonathan Greenert, Chief of Naval Operations, General James F. Amos, USMC, Commandant of the Marine Corps, General Norton A. Schwartz, USAF, Chief of Staff of the Air Force, and General Craig R. McKinley, USAF, Chief, National Guard Bureau, all of the Department of Defense.

ECONOMIC DEVELOPMENT IN INDIAN COUNTRY

Committee on Banking, Housing, and Urban Affairs: Committee concluded a hearing to examine opportunities and challenges for economic development in Indian country, after receiving testimony from Mark A. Tilsen, Native American Natural Foods, LLC, Kyle, South Dakota; Martin M. Olsson, Eagle Bank, and Dante Desiderio, Native American Finance Officers Association, both of Washington, D.C.; Tanya Fiddler, Four Bands Community Fund, Eagle Butte, South Dakota; and Susan M. Woodrow, Federal Reserve Bank of Minneapolis Helena Branch, Minneapolis, Minnesota.

BUSINESS MEETING

Committee on Energy and Natural Resources: Committee ordered favorably reported the following business items:

S. 114, to authorize the Secretary of the Interior to enter into a cooperative agreement for a park headquarters at San Antonio Missions National Historical Park, to expand the boundary of the Park, to conduct a study of potential land acquisitions, with an amendment in the nature of a substitute;

S. 140, to designate as wilderness certain land and inland water within the Sleeping Bear Dunes National Lakeshore in the State of Michigan;

S. 247, to establish the Harriet Tubman National Historical Park in Auburn, New York, and the Harriet Tubman Underground Railroad National Histor-

ical Park in Caroline, Dorchester, and Talbot Counties, Maryland, with amendments;

S. 264, to direct the Secretary of the Interior to convey to the State of Mississippi 2 parcels of surplus land within the boundary of the Natchez Trace Parkway, with an amendment;

S. 302, to authorize the Secretary of the Interior to issue right-of-way permits for a natural gas transmission pipeline in nonwilderness areas within the boundary of Denali National Park;

S. 322, to expand the Alpine Lakes Wilderness in the State of Washington, to designate the Middle Fork Snoqualmie River and Pratt River as wild and scenic rivers;

S. 323, to establish the First State National Historical Park in the State of Delaware;

S. 499, to authorize the Secretary of the Interior to facilitate the development of hydroelectric power on the Diamond Fork System of the Central Utah Project;

S. 500, 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, with amendments;

S. 526, to provide for the conveyance of certain Bureau of Land Management land in Mohave County, Arizona, to the Arizona Game and Fish Commission, for use as a public shooting range, with an amendment in the nature of a substitute;

S. 667, to establish the Rio Grande del Norte National Conservation Area in the State of New Mexico;

S. 765, to modify the boundary of the Oregon Caves National Monument;

S. 766, to provide for the designation of the Devil's Staircase Wilderness Area in the State of Oregon, to designate segments of Wasson and Franklin Creeks in the State of Oregon as wild rivers;

S. 779, to authorize the acquisition and protection of nationally significant battlefields and associated sites of the Revolutionary War and the War of 1812 under the American Battlefield Protection Program;

S. 802, to authorize the Secretary of the Interior to allow the storage and conveyance of nonproject water at the Norman project in Oklahoma;

S. 883, to authorize National Mall Liberty Fund D.C. to establish a memorial on Federal land in the District of Columbia to honor free persons and slaves who fought for independence, liberty, and justice for all during the American Revolution;

S. 888, to amend the Wild and Scenic Rivers Act to designate a segment of Illabot Creek in Skagit County, Washington, as a component of the National Wild and Scenic Rivers System;

S. 896, to amend the Public Land Corps Act of 1993 to expand the authorization of the Secretaries