

Daily Digest

Highlights

House agreed to the conference report to accompany H.R. 1540, National Defense Authorization Act for Fiscal Year 2012.

Senate

Chamber Action

Routine Proceedings, pages S8555–S8618

Measures Introduced: Eight bills were introduced, as follows: S. 1988–1995. **Page S8602**

Measures Passed:

Belarus Democracy and Human Rights Act: Committee on Foreign Relations was discharged from further consideration of H.R. 515, to reauthorize the Belarus Democracy Act of 2004, and the bill was then passed, after agreeing to the following amendment proposed thereto: **Page S8611**

Reid (for Kerry/Lugar) Amendment No. 1462, to make minor edits to the bill. **Page S8611**

Intelligence Authorization Act for Fiscal Year 2012: Senate passed H.R. 1892, to authorize appropriations for fiscal year 2012 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, after agreeing to the following amendment proposed thereto: **Pages S8611–17**

Reid (for Feinstein/Chambliss) Amendment No. 1463, in the nature of a substitute. **Page S8617**

Measures Failed:

Balanced Budget Joint Resolution: By 21 yeas to 79 nays (Vote No. 228), two-thirds of Senators voting not having voted in the affirmative, Senate failed to pass S.J. Res. 24, proposing a balanced budget amendment to the Constitution of the United States. **Pages S8565–67**

Balanced Budget Joint Resolution: By 47 yeas to 53 nays (Vote No. 229), two-thirds of Senators voting not having voted in the affirmative, Senate failed to pass S.J. Res. 10, proposing a balanced budget amendment to the Constitution of the United States. **Pages S8565–67**

Appointments:

National Advisory Committee on Institutional Quality and Integrity: The Chair announced, on behalf of the President pro tempore, pursuant to P.L. 110–315, the appointment of the following to be a member of the National Advisory Committee on Institutional Quality and Integrity: Ms. Jill Derby of Nevada, vice Daniel Klaich of Nevada. **Page S8617**

Christen Nomination—Agreement: A unanimous-consent-time agreement was reached providing that at approximately 10:30 a.m., on Thursday, December 15, 2011, Senate begin consideration of the nomination of Morgan Christen, of Alaska, to be United States Circuit Judge for the Ninth Circuit; that there be 30 minutes for debate equally divided in the usual form; that upon the use or yielding back of time, Senate resume legislative session, and at a time to be determined by the Majority Leader, in consultation with the Republican Leader, Senate return to executive session, resume consideration of the nomination, and there be an additional 2 minutes for debate equally divided in the usual form, prior to a vote on confirmation of the nomination; and that no further motions be in order to the nomination. **Page S8617**

Nominations Confirmed: Senate confirmed the following nominations:

8 Coast Guard nominations in the rank of admiral.

15 Navy nominations in the rank of admiral.

Pages S8611, S8617–18

Messages from the House: **Pages S8600–01**

Measures Referred: **Page S8601**

Measures Placed on the Calendar: **Pages S8601, S8617**

Executive Communications: **Pages S8601–02**

Executive Reports of Committees: **Page S8602**

Additional Cosponsors: **Pages S8602–04**

Statements on Introduced Bills/Resolutions:**Pages S8603–04****Additional Statements:****Pages S8598–S8600****Amendments Submitted:****Pages S8604–10****Authorities for Committees to Meet:****Pages S8610–11****Privileges of the Floor:****Page S8611**

Record Votes: Two record votes were taken today. (Total—229)

Pages S8566–67

Adjournment: Senate convened at 9:30 a.m. and adjourned at 8:10 p.m., until 9:30 a.m. on Thursday, December 15, 2011. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S8617.)

Committee Meetings

(Committees not listed did not meet)

INVESTOR RISKS IN CAPITAL RAISING

Committee on Banking, Housing, and Urban Affairs: Subcommittee on Securities, Insurance and Investment concluded a hearing to examine investor risks in capital raising, including S. 1824, to amend the securities laws to establish certain thresholds for shareholder registration under that Act, S. 1831, to direct the Securities and Exchange Commission to eliminate the prohibition against general solicitation as a requirement for a certain exemption under Regulation D, S. 1933, to increase American job creation and economic growth by improving access to the public capital markets for emerging growth companies, and S. 1970, to amend the securities laws to provide for registration exemptions for certain crowdfunded securities, after receiving testimony from John C. Coates IV, Harvard Law School, Newton, Massachusetts; Kate Mitchell, Scale Venture Partners, San Francisco, California; Barry E. Silbert, SecondMarket, New York, New York; Stephen Luparello, Financial Industry Regulatory Authority, Alexandria, Virginia; and Mark T. Hiraide, Petillon Hiraide and Loomis LLP, Redondo Beach, California.

BUSINESS MEETING

Committee on Commerce, Science, and Transportation: Committee ordered favorably reported the following business items:

S. 1449, to authorize the appropriation of funds for highway safety programs and for other purposes, with an amendment in the nature of a substitute;

S. 1950, to amend title 49, United States Code, to improve commercial motor vehicle safety and reduce commercial motor vehicle-related accidents and fatalities, to authorize the Federal Motor Carrier

Safety Administration, with an amendment in the nature of a substitute;

S. 1952, to improve hazardous materials transportation safety;

S. 1953, to reauthorize the Research and Innovative Technology Administration, to improve transportation research and development; and

A promotion list in the National Oceanic and Atmospheric Administration.

BUSINESS MEETING

Committee on Environment and Public Works: Committee ordered favorably reported the nomination of Rebecca R. Wodder, of Virginia, to be Assistant Secretary of the Interior for Fish and Wildlife.

ALTERNATIVE ENERGY TAX INCENTIVES

Committee on Finance: Subcommittee on Energy, Natural Resources, and Infrastructure concluded a hearing to examine alternative energy tax incentives, focusing on the effect of short-term extensions on alternative technology investment, domestic manufacturing, and jobs, after receiving testimony from Molly Sherlock, Analyst in Economics, Congressional Research Service, Library of Congress; Will Coleman, Mohr Davidow Ventures, Menlo Park, California; Martha Wyrsh, Vestas-American Wind Technology, Inc., Portland, Oregon; Paul Soanes, Renewable Biofuels, Inc., Houston, Texas; and Margo Thorning, American Council for Capital Formation, Washington, D.C.

HUMAN RIGHTS AND RULE OF LAW IN RUSSIA

Committee on Foreign Relations: Subcommittee on European Affairs concluded a hearing to examine the state of human rights and rule of law in Russia, focusing on United States policy options, after receiving testimony from Philip H. Gordon, Assistant Secretary for European and Eurasian Affairs, and Thomas O. Melia, Deputy Assistant Secretary for Democracy, Human Rights and Labor, both of the Department of State; and David Kramer, Freedom House, Edward S. Verona, U.S.-Russia Business Council, and Tom Malinowski, Human Rights Watch, all of Washington, D.C.

BUSINESS MEETING

Committee on Homeland Security and Governmental Affairs: Committee ordered favorably reported the following business items:

An original bill entitled, "Stop Trading on Congressional Knowledge Act of 2012";

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

H.R. 789, to designate the facility of the United States Postal Service located at 20 Main Street in

Little Ferry, New Jersey, as the “Sergeant Matthew J. Fenton Post Office”; and

H.R. 2422, to designate the facility of the United States Postal Service located at 45 Bay Street, Suite 2, in Staten Island, New York, as the “Sergeant Angel Mendez Post Office”.

BUSINESS MEETING

Committee on Health, Education, Labor, and Pensions: Committee ordered favorably reported the following business items:

S. 1855, to amend the Public Health Service Act to reauthorize various programs under the Pandemic and All-Hazards Preparedness Act, with an amendment in the nature of a substitute; and

The nominations of Wendy M. Spencer, of Florida, to be Chief Executive Officer of the Corporation

for National and Community Service, Deepa Gupta, of Illinois, to be a Member of the National Council on the Arts, Christopher Merrill, of Iowa, to be a Member of the National Council on the Humanities, Stephanie Orlando, of New York, and Gary Blumenthal, of Massachusetts, both to be a Member of the National Council on Disability, and a nomination list in the Public Health Service.

FEDERAL BUREAU OF INVESTIGATION OVERSIGHT

Committee on the Judiciary: Committee concluded an oversight hearing to examine the Federal Bureau of Investigation, after receiving testimony from Robert S. Mueller III, Director, Federal Bureau of Investigation, Department of Justice.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 15 public bills, H.R. 3658–3672; and 5 resolutions, H. Con. Res. 92–94; and H. Res. 495–496 were introduced. **Pages H8965–67**

Additional Cosponsors: **Pages H8967–68**

Reports Filed: There were no reports filed today.

Speaker: Read a letter from the Speaker wherein he appointed Representative Webster to act as Speaker pro tempore for today. **Page H8903**

Recess: The House recessed at 10:58 a.m. and reconvened at 12 noon. **Page H8910**

National Defense Authorization Act for Fiscal Year 2012—Conference Report: The House agreed to the conference report to accompany H.R. 1540, to authorize appropriations for fiscal year 2012 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, and to prescribe military personnel strengths for such fiscal year, by a recorded vote of 283 ayes to 136 noes, Roll No. 932. **Pages H8915–37, H8941–42**

Rejected the Bishop (GA) motion to recommit the conference report to the committee of conference with instructions to the managers on the part of the House, by a recorded vote of 183 ayes to 234 noes, Roll No. 931. **Page H8941**

H. Res. 493, the rule providing for consideration of the conference report, was agreed to by a recorded vote of 245 ayes to 169 noes, Roll No. 926, after

the previous question was ordered by a yea-and-nay vote of 235 yeas to 173 nays, Roll No. 925. **Pages H8921–22**

Recess: The House recessed at 3:27 p.m. and reconvened at 5:40 p.m. **Page H8937**

Suspensions—Proceedings Resumed: The House agreed to suspend the rules and pass the following measures which were debated yesterday, December 13th:

Iran Threat Reduction Act of 2011: H.R. 1905, amended, to strengthen Iran sanctions laws for the purpose of compelling Iran to abandon its pursuit of nuclear weapons and other threatening activities, by a $\frac{2}{3}$ yea-and-nay vote of 410 yeas to 11 nays, Roll No. 927; **Pages H8937–38**

Iran, North Korea, and Syria Nonproliferation Reform and Modernization Act of 2011: H.R. 2105, amended, to provide for the application of measures to foreign persons who transfer to Iran, North Korea, and Syria certain goods, services, or technology, by a $\frac{2}{3}$ yea-and-nay vote of 418 yeas to 2 nays, Roll No. 928; and **Pages H8938–39**

Fallen Heroes of 9/11 Act: H.R. 3421, to award Congressional Gold Medals in honor of the men and women who perished as a result of the terrorist attacks on the United States on September 11, 2001, by a $\frac{2}{3}$ recorded vote of 416 ayes with none voting “no”, Roll No. 929. **Pages H8939–40**

Suspensions—Proceedings Resumed: The House agreed to suspend the rules and pass the following measures which were debated on December 12th:

Designating the property between the United States Federal Courthouse and the Ed Jones Building located at 109 South Highland Avenue in Jackson, Tennessee, as the “M.D. Anderson Plaza”: H.R. 1264, amended, to designate the property between the United States Federal Courthouse and the Ed Jones Building located at 109 South Highland Avenue in Jackson, Tennessee, as the “M.D. Anderson Plaza” and to authorize the placement of a historical/identification marker on the grounds recognizing the achievements and philanthropy of M.D. Anderson, by a $\frac{2}{3}$ yea-and-nay vote of 418 yeas to 1 nay, Roll No. 930 and **Pages H8940–41**

Brian A. Terry Memorial Act: H.R. 2668, to designate the station of the United States Border Patrol located at 2136 South Naco Highway in Bisbee, Arizona, as the “Brian A. Terry Border Patrol Station”. **Page H8952**

Directing the Clerk of the House of Representatives to correct the enrollment of the bill H.R. 1540: The House agreed to H. Con. Res. 92, to direct the Clerk of the House of Representatives to correct the enrollment of the bill H.R. 1540. **Page H8942**

Providing for a correction to the enrollment of the bill H.R. 2845: H. Con. Res. 93, to provide for a correction to the enrollment of the bill H.R. 2845. **Pages H8942–48**

Suspensions—Proceedings Postponed: The House debated the following measures under suspension of the rules. Further proceedings were postponed:

Providing for the conveyance of certain property from the United States to the Maniilaq Association located in Kotzebue, Alaska: H.R. 443, amended, to provide for the conveyance of certain property from the United States to the Maniilaq Association located in Kotzebue, Alaska; **Pages H8948–49**

Rattlesnake Mountain Public Access Act of 2011: H.R. 2719, to ensure public access to the summit of Rattlesnake Mountain in the Hanford Reach National Monument for educational, recreational, historical, scientific, cultural, and other purposes; and **Pages H8949–50**

Sugar Loaf Fire Protection District Land Exchange Act of 2011: S. 278, amended, to provide for the exchange of certain land located in the Arapaho-Roosevelt National Forests in the State of Colorado. **Pages H8950–52**

Recess: The House recessed at 9:35 p.m. and reconvened at 11:39 p.m. **Page H8965**

Senate Message: Message received from the Senate today appears on page H8910 .

Quorum Calls—Votes: Four yea-and-nay votes and four recorded votes developed during the proceedings of today and appear on pages H8921–22, H8922, H8938, H8938–39, H8939–40, H8940–41, H8941 and H8941–42. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 11:40 p.m.

Committee Meetings

ICANN’S TOP-LEVEL DOMAIN NAME PROGRAM

Committee on Energy and Commerce: Subcommittee on Communications and Technology held a hearing entitled “ICANN’s Top-Level Domain Name Program.” Testimony was heard from Fiona Alexander, Associate Administrator, Office of International Affairs, National Telecommunications and Information Administration; and public witnesses.

MISCELLANEOUS MEASURES

Committee on Financial Services: Subcommittee on Capital Markets and Government Sponsored Enterprises held a markup of the following: the “Private Mortgage Market Investment Act”; and H.R. 2483, the “Whistleblower Improvement Act of 2011.” Both bills were forwarded, as amended.

CONFRONTING DAMASCUS: U.S. POLICY TOWARD THE EVOLVING SITUATION IN SYRIA

Committee on Foreign Affairs: Subcommittee on the Middle East and South Asia held a hearing entitled “Confronting Damascus: U.S. Policy Toward the Evolving Situation in Syria.” Testimony was heard from Frederic C. Hof, Special Coordinator for Regional Affairs, Office of the U.S. Special Envoy for Middle East Peace, Department of State.

JUDICIAL RELIANCE ON FOREIGN LAW

Committee on the Judiciary: Subcommittee on the Constitution held a hearing entitled “Judicial Reliance on Foreign Law.” Testimony was heard from public witnesses.

NUCLEAR REGULATORY COMMISSION

Committee on Oversight and Government Reform: Full Committee held a hearing entitled “The Leadership of the Nuclear Regulatory Commission.” Testimony was heard from the following officials of the National Regulatory Commission, Gregory B. Jaczko, Chairman; George E. Apostolakis, Commissioner; C. Ostendorff, Commissioner; Kristine L. Svinicki, Commissioner; William D. Magwood IV, Commissioner; and the following officials from the Nuclear Regulatory Commission: Bill Borchardt, Executive

Director for Operations; and Stephen Burns, General Counsel.

HHS AND THE CATHOLIC CHURCH

Committee on Oversight and Government Reform: Full Committee held a hearing entitled “HHS and the Catholic Church: Examining the Politicization of Grants (minority day of hearing).” Testimony was heard from Susie Baldwin, M.D., Chief, Health Assessment Unit, Office of Health Assessment and Epidemiology, Los Angeles County Department of Public Health; and public witnesses.

WATER QUALITY

Committee on Transportation and Infrastructure: Subcommittee on Water Resources and Environment held a hearing entitled “Integrated Planning and Permitting: An Opportunity for EPA to Provide Communities With Flexibility To Make Smart Investments in Water Quality.” Testimony was heard from Jim Suttle, Mayor, Omaha, Nebraska; Joe Reardon, Mayor, Kansas City, Kansas; Todd Portune, Commissioner, Hamilton County Board of Commissioners; Walt Baker, Director, Division of Water Quality, Utah Department of Environmental Quality; Carter H. Strickland, Jr., Commissioner, New York City Environmental Protection; Nancy Stoner, Acting Assistant Administrator for Water, Environmental Protection Agency; Cynthia Giles, Assistant Administrator for the Office of Enforcement and Compliance Assurance, Environmental Protection Agency; and public witnesses.

VA’S COMPENSATED WORK THERAPY PROGRAM

Committee on Veterans’ Affairs: Subcommittee on Oversight and Investigations held a hearing entitled “Is It Working: Reviewing VA’s Compensated Work Therapy Program.” Testimony was heard from Anthony Campinell, Director, Therapeutic and Supported Employment Programs, Veterans Health Administration, Department of Veterans Affairs.

TRANS-PACIFIC PARTNERSHIP

Committee on Ways and Means: Subcommittee on Trade held a hearing on the Trans-Pacific Partnership. Testimony was heard from Demetrios Marantis, Ambassador, Deputy U.S. Trade Representative, Office of the United States Trade Representative; and public witnesses.

Joint Meetings

No joint committee meetings were held.

NEW PUBLIC LAWS

(For last listing of Public Laws, see DAILY DIGEST, p. D1339)

H.R. 2192, to exempt for an additional 4-year period, from the application of the means-test presumption of abuse under chapter 7, qualifying members of reserve components of the Armed Forces and members of the National Guard who, after September 11, 2001, are called to active duty or to perform a homeland defense activity for not less than 90 days. Signed on December 13, 2011. (Public Law 112–64)

S. 1541, to revise the Federal charter for the Blue Star Mothers of America, Inc. to reflect a change in eligibility requirements for membership. Signed on December 13, 2011. (Public Law 112–65)

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. Signed on December 13, 2011. (Public Law 112–66)

COMMITTEE MEETINGS FOR THURSDAY, DECEMBER 15, 2011

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Agriculture, Nutrition, and Forestry: To hold hearings to examine the nominations of Michael T. Scuse, of Delaware, to be Under Secretary of Agriculture for Farm and Foreign Agricultural Services, and to be a Member of the Board of Directors of the Commodity Credit Corporation, and Chester John Culver, of Iowa, and Bruce J. Sherrick, of Illinois, both to be a Member of the Board of Directors of the Federal Agricultural Mortgage Corporation, Farm Credit Administration, 10:30 a.m., SR–328A.

Committee on Commerce, Science, and Transportation: Subcommittee on Oceans, Atmosphere, Fisheries, and Coast Guard, to hold hearings to examine environmental risks of genetically engineered fish, 10:30 a.m., SR–253.

Committee on Energy and Natural Resources: Business meeting to consider S. 1108, to provide local communities with tools to make solar permitting more efficient, S. 1142, to promote the mapping and development of the United States geothermal resources by establishing a direct loan program for high risk geothermal exploration wells, to amend the Energy Independence and Security Act of 2007 to improve geothermal energy technology and demonstrate the use of geothermal energy in large scale thermal applications, S. 1149, to expand geothermal production, S. 1160, to improve the administration of the Department of Energy, and the nomination of Arunava Majumdar, of California, to be Under Secretary of Energy, 9:30 a.m., SD–366.

Committee on Environment and Public Works: With the Subcommittee on Clean Air and Nuclear Safety, to hold

joint hearings to examine the Nuclear Regulatory Commission's (NRC) near-term task force recommendations for enhancing reactor safety in the 21st century, 10 a.m., SD-406.

Committee on Foreign Relations: Subcommittee on Western Hemisphere, Peace Corps and Global Narcotics Affairs, to hold hearings to examine the United States-Caribbean shared security partnership, focusing on responding to the growth of trafficking narcotics in the Caribbean, 11 a.m., SD-419.

Subcommittee on African Affairs, to hold hearings to examine improving governance in the Democratic Republic of Congo, 2:15 p.m., SD-419.

Committee on Health, Education, Labor, and Pensions: To hold hearings to examine prescription drug shortages, focusing on examining a public health concern and potential solutions, 10 a.m., SD-106.

Committee on the Judiciary: Business meeting to consider S. 1821, to prevent the termination of the temporary office of bankruptcy judges in certain judicial districts, S. 1236, to reduce the trafficking of drugs and to prevent human smuggling across the Southwest Border by deterring the construction and use of border tunnels, and the nomination of Brian C. Wimes, to be United States District Judge for the Eastern and Western Districts of Missouri, 10 a.m., SD-226.

House

Committee on the Budget, Full Committee, markup of H.R. 3521, the "Expedited Line-Item Veto and Rescissions Act of 2011." 10 a.m., 210 Cannon.

Committee on Financial Services, Subcommittee on Capital Markets and Government Sponsored Enterprises, hearing on H.R. 3606, the "Reopening American Capital Markets to Emerging Growth Companies Act of 2011." 9:30 a.m., HVC-210 Capitol.

Subcommittee on Insurance, Housing and Community Opportunity, hearing entitled "The Homeless Children and Youth Act of 2011: Proposals to Promote Economic Independence for Homeless Children and Youth." 10 a.m., 2237 Rayburn.

Subcommittee on Oversight and Investigations, hearing entitled "The Collapse of MF Global." 1 p.m., HVC-210 Capitol.

Committee on Foreign Affairs, Subcommittee on the Western Hemisphere, markup of the following: H.R. 3401, to apply counterinsurgency tactics under a coordinated and targeted strategy to combat the terrorist insurgency in Mexico waged by transnational criminal organizations, and for other purposes; and H.R. 2542, to withhold twenty percent of United States assessed and voluntary contributions to the Organization of American States (OAS) for every permanent council meeting that takes place where Article 20 of the Inter-American Charter is not invoked with regard to Venezuela's recent constitutional reforms, and for other purposes. 11 a.m., 2172 Rayburn.

Committee on the Judiciary, Full Committee, markup of H.R. 3261, the "Stop Online Piracy Act." 10 a.m., 2141 Rayburn.

Committee on Natural Resources, Subcommittee on Fisheries, Wildlife, Oceans and Insular Affairs, hearing on the following: the Harris Neck National Wildlife Refuge and How the Federal Government Obtained Title to This Land and Promises Made to the Original Landowners; H.R. 1171, the "Marine Debris Act Reauthorization Amendments of 2011"; and S. 363, to authorize the Secretary of Commerce to convey property of the National Oceanic and Atmospheric Administration to the City of Pascagoula, Mississippi, and for other purposes. 10 a.m., 1324 Longworth.

Committee on Oversight and Government Reform, Subcommittee on TARP, Financial Services and Bailouts of Public and Private Programs, hearing entitled "What the Euro Crisis Means for Taxpayers and the U.S. Economy, Pt. I." 10 a.m., 2154 Rayburn.

Committee on Small Business, Subcommittee on Investigations, Oversight and Regulations, hearing entitled "New Medical Loss Ratios: Increasing Health Care Value or Just Eliminating Jobs?" 10 a.m., 2360 Rayburn.

Committee on Transportation and Infrastructure, Full Committee, hearing entitled "California's High-Speed Rail Plan: Skyrocketing Costs & Project Concerns." 10 a.m., 2167 Rayburn.

Committee on Veterans' Affairs, Subcommittee on Economic Opportunity, hearing entitled "Reviewing the Implementation of the VOW to Hire Heroes Act of 2011." 10 a.m., 334 Cannon.

Next Meeting of the SENATE

9:30 a.m., Thursday, December 15

Next Meeting of the HOUSE OF REPRESENTATIVES

10 a.m., Thursday, December 15

Senate Chamber

Program for Thursday: After the transaction of any morning business (not to extend beyond one hour), Senate will begin consideration of the nomination of Morgan Christen, of Alaska, to be United States Circuit Judge for the Ninth Circuit.

House Chamber

Program for Thursday: Consideration of H.R. 3659—Welfare Integrity and Data Improvement Act.

Extensions of Remarks, as inserted in this issue

HOUSE

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