

# Daily Digest

## Senate

### Chamber Action

*Routine Proceedings, pages S3243–S3294*

**Measures Introduced:** Eleven bills and two resolutions were introduced, as follows: S. 3196–3206, and S. Res. 466–467. **Page S3280**

#### Measures Reported:

S. 676, to amend the Act of June 18, 1934, to reaffirm the authority of the Secretary of the Interior to take land into trust for Indian tribes, with an amendment. (S. Rept. No. 112–166)

S. 2554, to amend title I of the Omnibus Crime Control and Safe Streets Act of 1968 to extend the authorization of the Bulletproof Vest Partnership Grant Program through fiscal year 2017, with an amendment in the nature of a substitute. **Page S3279**

#### Measures Passed:

**Trooper Joshua D. Miller Post Office Building:** Senate passed H.R. 2415, to designate the facility of the United States Postal Service located at 11 Dock Street in Pittston, Pennsylvania, as the “Trooper Joshua D. Miller Post Office Building”.

**Pages S3291–92**

**Master Sergeant Daniel L. Fedder Post Office:** Senate passed H.R. 3220, to designate the facility of the United States Postal Service located at 170 Evergreen Square SW in Pine City, Minnesota, as the “Master Sergeant Daniel L. Fedder Post Office”.

**Pages S3291–92**

**Private Isaac T. Cortes Post Office:** Senate passed H.R. 3413, to designate the facility of the United States Postal Service located at 1449 West Avenue in Bronx, New York, as the “Private Isaac T. Cortes Post Office”.

**Pages S3291–92**

**Post-Deployment/Mobilization Respite Absence Administrative Absence Days:** Senate passed H.R. 4045, to modify the Department of Defense Program Guidance relating to the award of Post-Deployment/Mobilization Respite Absence administrative absence days to members of the reserve components to exempt any member whose qualified mobilization commenced before October 1, 2011, and continued

on or after that date, from the changes to the program guidance that took effect on that date.

**Page S3292**

**Border Tunnel Prevention Act:** Senate passed H.R. 4119, to reduce the trafficking of drugs and to prevent human smuggling across the Southwest Border by deterring the construction and use of border tunnels.

**Page S3292**

**Sequoia and Kings Canyon National Parks Backcountry Access Act:** Senate passed H.R. 4849, to direct the Secretary of the Interior to issue commercial use authorizations to commercial stock operators for operations in designated wilderness within the Sequoia and Kings Canyon National Parks, after agreeing to the following amendment proposed thereto:

**Page S3292**

Reid (for Boxer/Feinstein) Amendment No. 2112, in the nature of a substitute.

**Page S3292**

#### Measures Considered:

**FDA User Fee—Cloture:** Senate began consideration of the motion to proceed to consideration of S. 3187, to amend the Federal Food, Drug, and Cosmetic Act to revise and extend the user-fee programs for prescription drugs and medical devices, to establish user-fee programs for generic drugs and biosimilars.

**Pages S3243–48, S3252–71**

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 upon disposition of the nomination of Paul J. Watford, of California, to be United States Circuit Judge for the Ninth Circuit.

**Page S3252**

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

Transmitting, pursuant to law, a report on the continuation of the national emergency that was originally declared in Executive Order 13047 of May 20, 1997, with respect to Burma; which was referred to the Committee on Banking, Housing, and Urban Affairs. (PM–49)

**Pages S3277–78**

**Removal of Injunction of Secrecy:** The injunction of secrecy was removed from the following treaties:

Protocol Amending the Convention on Mutual Administrative Assistance in Tax Matters (Treaty Doc. No. 112–5);

The Convention on the Law Applicable to Certain Rights in Respect of Securities Held with an Intermediary (Treaty Doc. No. 112–6);

Convention on the Rights of Persons with Disabilities (Treaty Doc. No. 112–7); and

Tax Convention with Chile (Treaty Doc. No. 112–8).

The treaties were transmitted to the Senate today, considered as having been read for the first time, and referred, with accompanying papers, to the Committee on Foreign Relations and ordered to be printed.

**Pages S3292–93**

**Watford Nomination—Cloture:** Senate began consideration of the nomination of Paul J. Watford, of California, to be United States Circuit Judge for the Ninth Circuit.

**Page S3252**

A motion was entered to close further debate on the nomination, and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, and pursuant to the unanimous-consent agreement of Thursday, May 17, 2012, a vote on cloture will occur at approximately 5:30 on Monday, May 21, 2012.

**Page S3293**

A unanimous-consent-time agreement was reached providing that at 4:30 p.m., on Monday, May 21, 2012, Senate resume consideration of the nomination, with one hour of debate equally divided and controlled in the usual form, and that upon the use or yielding back of time, Senate vote on the motion to invoke cloture on the nomination; And that if cloture is not invoked, Senate resume legislative session and vote on the motion to invoke cloture on the motion to proceed to consideration of S. 3187, FDA User Fee.

**Page S3293**

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

By 70 yeas to 24 nays (Vote No. EX. 102), Jeremy C. Stein, of Massachusetts, to be a Member of the Board of Governors of the Federal Reserve System for the unexpired term of fourteen years from February 1, 2004. (Pursuant to the order of Wednesday, May 16, 2012, the nomination having achieved 60 affirmative votes, was confirmed.)

**Pages S3248–51**

By 74 yeas to 21 nays (Vote No. EX. 103), Jerome H. Powell, of Maryland, to be a Member of the Board of Governors of the Federal Reserve System for the unexpired term of fourteen years from February 1, 2000. (Pursuant to the order of Wednesday, May 16, 2012, the nomination having achieved 60 affirmative votes, was confirmed.)

**Pages S3248–52**

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

Derek J. Mitchell, of Connecticut, to be Ambassador to the Union of Burma.

Matthew W. Brann, of Pennsylvania, to be United States District Judge for the Middle District of Pennsylvania.

Malachy Edward Mannion, of Pennsylvania, to be United States District Judge for the Middle District of Pennsylvania.

Gary Blankinship, of Texas, to be United States Marshal for the Southern District of Texas for the term of four years.

1 Army nomination in the rank of general.

1 Navy nomination in the rank of admiral.

A routine list in the Navy. **Pages S3293–94**

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

A routine list in the Air Force. **Pages S3293–94**

**Messages from the House:** **Page S3278**

**Measures Referred:** **Page S3278**

**Executive Communications:** **Pages S3278–79**

**Executive Reports of Committees:** **Pages S3279–80**

**Additional Cosponsors:** **Pages S3280–81**

**Statements on Introduced Bills/Resolutions:** **Pages S3281–88**

**Additional Statements:** **Pages S3275–77**

**Amendments Submitted:** **Pages S3288–91**

**Authorities for Committees to Meet:** **Page S3291**

**Privileges of the Floor:** **Page S3291**

**Record Votes:** Two record votes were taken today. (Total—103) **Pages S3251–52**

**Adjournment:** Senate convened at 9:30 a.m. and adjourned at 4:47 p.m., until 2 p.m. on Monday, May 21, 2012. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S3253.)

## Committee Meetings

*(Committees not listed did not meet)*

### APPROPRIATIONS: EUROPEAN COMMAND AND SPECIAL OPERATIONS COMMAND

*Committee on Appropriations:* Subcommittee on Department of Defense received a closed briefing on proposed budget estimates for fiscal year 2013 for European Command and Special Operations Command Programs from Admiral James G. Stavridis, USN, Supreme Allied Commander, Europe, and Commander, United States European Command, and Admiral William H. McRaven, Commander, United States Special Operations Command, both of the Department of Defense.

**TSUNAMI GENERATED MARINE DEBRIS**

*Committee on Commerce, Science, and Transportation:* Subcommittee on Oceans, Atmosphere, Fisheries, and Coast Guard concluded a hearing to examine the United States response to tsunami generated marine debris, after receiving testimony from David M. Kennedy, Assistant Administrator, Ocean Services and Coastal Zone Management, National Oceanic and Atmospheric Administration, Department of Commerce; and Rear Admiral Cari B. Thomas, Assistant Commandant for Response Policy, United States Coast Guard, Department of Homeland Security.

**CLEAN ENERGY STANDARD ACT**

*Committee on Energy and Natural Resources:* Committee concluded a hearing to examine S. 2146, to amend the Public Utility Regulatory Policies Act of 1978 to create a market-oriented standard for clean electric energy generation, after receiving testimony from David Sandalow, Assistant Secretary for Policy and International Affairs, and Howard Gruenspecht, Acting Administrator, U.S. Energy Information Administration, both of the Department of Energy; Collin O'Mara, Delaware Department of Natural Resources and Environmental Control Secretary, Dover; Karen Palmer, Resources for the Future, and Thomas J. Gibson, American Iron and Steel Institute, both of Washington, D.C.; Judi Greenwald, Center for Climate and Energy Solutions, Arlington, Virginia; Keith Trent, Duke Energy, Charlotte, North Carolina; and James A. Dickenson, JEA, Jacksonville, Florida.

**SOCIAL SECURITY ADMINISTRATION**

*Committee on Finance:* Committee concluded a hearing to examine the Social Security Administration, focusing on saving taxpayer dollars and serving the public, after receiving testimony from Michael J. Astrue, Commissioner, Social Security Administration.

**NOMINATIONS**

*Committee on Foreign Relations:* Committee concluded a hearing to examine the nominations of Edward M. Alford, of Virginia, to be Ambassador to the Republic of The Gambia, Mark L. Asquino, of the District

of Columbia, to be Ambassador to the Republic of Equatorial Guinea, Douglas M. Griffiths, of Texas, to be Ambassador to the Republic of Mozambique, and David J. Lane, of Florida, for the rank of Ambassador during his tenure of service as U.S. Representative to the United Nations Agencies for Food and Agriculture, who was introduced by Senator Nelson (FL), all of the Department of State, after the nominees testified and answered questions in their own behalf.

**FULFILLING FEDERAL TRUST RESPONSIBILITY**

*Committee on Indian Affairs:* Committee concluded an oversight hearing to examine fulfilling the Federal trust responsibility, focusing on the foundation of the government-to-government relationship, after receiving testimony from Melody McCoy, Native American Rights Fund (NARF), Boulder, Colorado; Matthew L.M. Fletcher, Michigan State University College of Law, East Lansing; Daniel I.S.J. Rey-Bear, Nordhaus Law Firm, LLP, Albuquerque, New Mexico; Ray Halbritter, Oneida Indian Nation, Verona, New York; Fawn Sharp, Quinault Indian Nation, Taholah, Washington; Brooklyn D. Baptiste, Nez Perce Tribal Executive Committee, Lapwai, Idaho; and Shenan Atcitty, Jicarilla Apache Nation, Washington, D.C.

**BUSINESS MEETING**

*Committee on the Judiciary:* Committee ordered favorably reported the following business items:

S. 2554, to amend title I of the Omnibus Crime Control and Safe Streets Act of 1968 to extend the authorization of the Bulletproof Vest Partnership Grant Program through fiscal year 2017, with amendments;

S. 2276, to permit Federal officers to remove cases involving crimes of violence to Federal court, with an amendment in the nature of a substitute; and

The nominations of David Medine, of Maryland, to be Chairman, James Xavier Dempsey, of California, Elisebeth Collins Cook, of Illinois, Rachel L. Brand, of Iowa, and Patricia M. Wald, of the District of Columbia, all to be a Member of the Privacy and Civil Liberties Oversight Board.

# House of Representatives

## *Chamber Action*

**Public Bills and Resolutions Introduced:** 33 public bills, H.R. 5793–5825; and 3 resolutions, H. Res. 662–664 were introduced. **Pages H3101–03**

**Additional Cosponsors:** **Page H3105**

**Reports Filed:** There were no reports filed today.

**Speaker:** Read a letter from the Speaker wherein he appointed Representative Shimkus to act as Speaker pro tempore for today. **Page H2815**

**Recess:** The House recessed at 11:12 a.m. and reconvened at 12 noon. **Page H2823**

**Chaplain:** The prayer was offered by the guest chaplain, Reverend Dr. Ken Chroniger, Alfred Station Seventh Day Baptist Church, Alfred Station, New York. **Page H2823**

**Moment of Silence:** The House observed a moment of silence in honor of the men and women in uniform who have given their lives in the service of our Nation in Iraq and Afghanistan and their families, and of all who serve in the armed forces and their families. **Page H2845**

**Suspension—Proceedings Resumed:** The House agreed to suspend the rules and agree to the following measure which was debated on May 15th:

*Expressing the sense of the House of Representatives regarding the importance of preventing the Government of Iran from acquiring a nuclear weapons capability:* H. Res. 568, amended, to express the sense of the House of Representatives regarding the importance of preventing the Government of Iran from acquiring a nuclear weapons capability, by a 2/3 yea-and-nay vote of 401 yeas to 11 nays with 9 answering “present”, Roll No. 261.

**Page H2846**

**Suspension—Proceedings Resumed:** The House agreed to suspend the rules and pass the following measure which was debated yesterday, May 16th:

*National Flood Insurance Program Extension Act:* H.R. 5740, to extend the National Flood Insurance Program, by a 2/3 yea-and-nay vote of 402 yeas to 18 nays, Roll No. 262. **Pages H2846–47**

**National Defense Authorization Act for Fiscal Year 2013:** The House resumed consideration of H.R. 4310, to authorize appropriations for fiscal year 2013 for military activities of the Department of Defense and to prescribe military personnel strengths for fiscal year 2013. Further proceedings were postponed. **Pages H2827–3046, H3049–97**

Pursuant to the rule, an amendment in the nature of a substitute consisting of the text of Rules Committee Print 112–22 shall be considered as an original bill for the purpose of amendment under the five-minute rule, in lieu of the amendment in the nature of a substitute recommended by the Committee on Armed Services now printed in the bill.

**Page H2827**

Agreed to:

McKeon Manager’s amendment (No. 1 printed in H. Rept. 112–485), as modified, that makes conforming changes in the bill; **Pages H2996–97**

McKeon en bloc amendment No. 1 that consists of the following amendments printed in H. Rept. 112–485: Landry amendment (No. 2) that specifies that the use of information collected via unmanned aerial vehicles by the U.S. Department of Defense may not be used as evidence in a court of law against an individual without first having a warrant issued; Hanna amendment (No. 13) that requires the Secretary of Defense to report to Congress on Air Force cyber operations research, science, and technology plans and capabilities; Bishop (UT) amendment (No. 14) that clarifies Section 322 on Military Industrial Depot Policy to ensure that core workloads completed at government military industrial depots include critical supply chain management and management expertise; Gallegly amendment (No. 15) that creates Military Readiness Areas off the California coast to allow the U.S. Navy to continue exercises and testing while allowing for the expansion of the southern sea otter into these Navy testing areas; Hayworth amendment (No. 16) that expresses the Sense of Congress that the DoD should not convert the performance of any function from performance by a contractor to performance by DoD civilian employee unless the function is inherently governmental in nature; Pingree amendment (No. 21) that adds a Sense of Congress that Military Sexual Trauma (MST) continues to be a significant problem within the DoD and many victims of MST suffer from Post Traumatic Stress Disorder; Bishop (NY) amendment (No. 23) that expresses the sense of Congress that the remains of crewmen from the George 1 seaplane should be recovered from Thurston Island, Antarctica; Petri amendment (No. 25) that compensates certain military personnel who were prevented from using extra leave time, which was earned through multiple or extended deployments overseas as part of the Post-Deployment/Mobilization Respite Absence program, due to a government error; Israel amendment (No. 27) that authorizes a pilot program on enhancements of DoD efforts on

mental health in the National Guard and Reserves through public-private partnerships; Posey amendment (No. 28) that directs the Secretary of Defense to work with non-Federal entities and accept non-Federal funding under strict implementation guidelines to promote efficiencies of the space transportation infrastructure of the DoD in commercial space activities; Bishop (NY) amendment (No. 40) that honors the service of Air Raid Wardens and all other Americans who volunteered for service for the United States Office of Civilian Defense during World War II; Ellison amendment (No. 43) that prohibits the authorization of Defense Department funds for tear gas and other riot control items to Middle East and North African countries undergoing democratic transition unless the Secretary of Defense certifies to the appropriate Congressional committees that the security forces of such countries are not using excessive force to repress peaceful, lawful and organized dissent; Turner (OH) amendment (No. 57) that amends sections 3115 and 3202 to clarify that ensuring “adequate protection” is the applicable nuclear safety standard for defense nuclear facilities; that nuclear safety policies, regulations, analysis, and recommendations should be risk-based; and that nothing in these sections shall be construed to require a reduction in nuclear safety standards; Chu amendment (No. 74) that requires the DoD to provide an annual report to Congress on the prevalence of hazing and what actions they have taken to respond to and prevent hazing; Slaughter amendment (No. 83) that requires the DoD to conduct an educational campaign regarding the Board of Correction for Military Records as an avenue for relief in cases where a current or former member of the Armed Forces has experienced retaliatory personnel actions for making a report of sexual assault or sexual harassment; Larsen (WA) amendment (No. 95) that requires an assessment and report relating to infrared technology sectors; Murphy (CT) amendment (No. 97) that gives manufacturers the opportunity to provide information to the DoD regarding how their bid for a contract will affect domestic employment; Larsen (WA) amendment (No. 102) that requires reports on the costs of maintaining and modernizing the nuclear deterrent; Lewis (GA) amendment (No. 107) that requires the Secretary of Defense to post the cost of the wars in Afghanistan and Iraq to each American taxpayer on the DoD’s website; and Smith (WA) amendment (No. 126) that removes commercial satellites and related components from the United States munitions list; **Pages H2997–H3008**

McKeon en bloc amendment No. 2 that consists of the following amendments printed in H. Rept. 112–485: Flake amendment (No. 33) that requires the DoD to compile a report describing written

communications to the Department from Congress regarding military construction projects on the future years defense program; Grimm amendment (No. 36) that amends the 2003 NDAA to increase the number of authorized Weapon of Mass Destruction Civil Support Teams within the Army National Guard from 55 to 57; Bordallo amendment (No. 65) that codifies the role and missions that the National Guard can perform under the State Partnership Program (SPP); Altmire amendment (No. 66) that requires the DoD to conduct a report to Congressional defense committees on the feasibility of providing market-rate or below-market-rate telecommunications services to uniformed personnel transiting through foreign airports to and from deployment overseas, and investigate allegations of telecom companies specifically targeting military personnel in transit with above-market-rate fees; Welch amendment (No. 75) that provides for coordination between Small Business Development Centers and Yellow Ribbon Reintegration Program for the purpose of providing assistance to program recipients interested in starting a business; Boswell amendment (No. 85) that directs the Secretary of Defense to submit a report on the effects of multiple deployments on the well-being of military personnel; Boswell amendment (No. 89) that directs the DoD and VA to conduct a joint study on the incidence rate of breast cancer in service members and veterans; DeLauro amendment (No. 93) that prohibits the Defense Department from awarding a contract to supply helicopters to the Afghan Security Forces, directly or indirectly, to any entity controlled, directed or influenced by a state that has supplied weapons to Syria or a state-sponsor of terrorism; Welch amendment (No. 98) that requires the Army, Navy and Air Force to report to Congress on the progress of entering into Energy Savings Performance Contracts for the purpose of undergoing energy efficiency retrofits on military installations; Holt amendment (No. 100) that creates a National Language Service Corps to create a pool of personnel with foreign language skills upon whom the Department or other Federal agencies can call upon as needed; Holt amendment (No. 104) that creates a Federal Mortuary Affairs Advisory Commission, modeled on the 9/11 Commission, in response to the Dover Port Mortuary scandal; Welch amendment (No. 124) that requires the DoD to report to Congress on the sustainability of any large scale infrastructure project built in Afghanistan; Flake amendment (No. 127) that requires that, pursuant to the authorizations in Title XV, any funds appropriated to an Overseas Contingency Operations Transfer Fund be used only to fund items or activities requested by the President for overseas contingency

operations; and Hunter amendment (No. 128) that extends the authority for the use of the Joint Improvised Explosive Device Defeat Fund to enable better protection for deployed U.S. forces from improvised explosive devices; **Pages H3026–33**

Connolly amendment (No. 6 printed in H. Rept. 112–485) that withholds funds from the Coalition Support Fund until the Secretary of Defense certifies that Pakistan has opened the Ground Lines of Communication, is allowing the transit of NATO supplies through Pakistan into Afghanistan, and is supporting the retrograde of U.S. equipment out of Afghanistan (by a recorded vote of 412 ayes to 1 no, Roll No. 265); **Pages H3014–15, H3035**

Rooney amendment (No. 7 printed in H. Rept. 112–485) that directs the Department of Defense to hold detainee trials in the US Facility at Guantanamo Bay, Cuba, and not in the United States (by a recorded vote of 249 ayes to 171 noes, Roll No. 266); **Pages H3015–17, H3035–36**

Bartlett amendment (No. 8 printed in H. Rept. 112–485) that prevents Federal agencies from requiring contractors to sign an anti-competitive and costly project labor agreement (PLA) as a condition of winning a Federal construction contract (by a recorded vote of 211 ayes to 209 noes, Roll No. 267); **Pages H3017–19, H3036–37**

Wittman amendment (No. 24 printed in H. Rept. 112–485) that establishes a uniformed military Chain of Command for Army National Military Cemeteries and requires that upon the completion of the tenure of the current civilian director, the director position will be filled by a commissioned officer in the United States Military; **Pages H3056–57**

McKeon en bloc amendment No. 3 that consists of the following amendments printed in H. Rept. 112–485: Brown (FL) amendment (No. 35) that authorizes remediation of a navigational hazard endangering cargo and military vessels and affecting economic development in the region; Baca amendment (No. 37) that reduces the DoD strategic environmental research development program by \$4 million and authorizes the US geological survey to conduct a study of water resources and perchlorate contamination in the Rialto-Colton Basin; Granger amendment (No. 44) that provides Taiwan with critically needed United States-built multirole fighter aircraft to strengthen its self-defense capability against the increasing military threat from China; Carson amendment (No. 60) that requires the DoD to conduct a survey of all service members deployed since September 11, 2001 to determine what personal safety equipment was not provided by the military and what equipment was purchased by the service member, family, or someone else; Smith (WA) amendment (No. 63) that provides the authority for

a Secretary of a military department to enter into cooperative agreements with Indian Tribes for land management associated with military installations and state-owned National Guard installations; Cravaack amendment (No. 69) that provides for a sense of Congress that fighter wings performing the 24-hour Aerospace Control Alert mission provide an essential service in defending the sovereign airspace of the United States in the aftermath of the terrorist attacks on September 11, 2001; Cummings amendment (No. 71) that adds the Coast Guard to sections 507 and 535 of the bill, which require the Secretary of Defense to develop plans to expand diversity and prevent and track hazing; Thompson (CA) amendment (No. 80) that provides for the advancement of Brigadier General Charles E. Yeager, United States Air Force (Retired), on the retired list; Smith (WA) amendment (No. 84) that establishes a Sexual Assault Oversight Council to provide independent oversight of the DoD as it implements sexual assault policies and laws to prevent and prosecute sexual assault in the Armed Forces; Terry amendment (No. 86) that amends title 4, United States Code, to authorize members of the Armed Forces not in uniform and veterans to render a military salute during the recitation of the Pledge of Allegiance; Carson amendment (No. 87) that requires the DoD to provide mid-deployment mental health screenings to service members deployed in combat zones; Jackson Lee (TX) amendment (No. 91) that directs the DoD Office of Health to work in collaboration with the National Institutes of Health to provide resources to identify specific genetic and molecular targets and biomarkers for Triple Negative Breast Cancer (TNBC); Rivera amendment (No. 94) that prohibits any procurement contracts with any persons that have business operations with a state sponsor of terrorism; Meehan amendment (No. 109) that requires the Department of State to make a determination on whether or not Boko Haram meets the criteria to be designated a Foreign Terrorist Organization (FTO); Pompeo amendment (No. 110) that expresses the Sense of Congress on the occasion of Air Mobility Command's 20th anniversary; Quayle amendment (No. 117) that adds a new element at the end of Section 2867 (d)(1) of the National Defense Authorization Act for Fiscal Year 2012 that the report also include progress updates on consolidation goals and cost savings achieved during the preceding fiscal year; Jackson Lee (TX) amendment (No. 130) that requires the Secretary of Defense to conduct an assessment to determine whether the DoD has carried out sufficient outreach programs to assist minority and women-owned small business; Tsongas amendment (No. 137) that provides that the Secretary of the Air Force may enter into discussions with the

Massachusetts Institute of Technology for a project to improve and modernize the Lincoln Laboratory complex at Hanscom Air Force Base; and Cummings amendment (No. 140) that requires notification to Congress and publication on the Internet of information pertaining to the issuance of waivers to allow non-Jones Act qualified vessels to carry cargo between points in the United States; **Pages H3061–67**

Gingrey amendment (No. 39 printed in H. Rept. 112–485) that expresses the sense of Congress that active military personnel that either live in or are stationed in Washington, DC would be exempt from existing District of Columbia firearms restrictions; **Pages H3073–75**

Lamborn amendment (No. 50 printed in H. Rept. 112–485) that limits the availability of funds for Cooperative Threat Reduction activities with Russia until the Secretary of Defense can certify that Russia is no longer supporting the Syrian regime and is not providing to Syria, North Korea or Iran any equipment or technology that contributes to the development of weapons of mass destruction; **Pages H3085–86**

Petri amendment (No. 52 printed in H. Rept. 112–485) that clarifies that direct use solar energy technology is considered a renewable energy source for the purposes of the requirement that DoD obtain 25% of its facility energy from renewable sources by 2025; and **Pages H3092–93**

Bartlett amendment (No. 53 printed in H. Rept. 112–485) that requires a report from the US Marine Corps regarding the proposed transfer of land from the Bureau of Land Management to the U.S. Marine Corps for the expansion of 29 Palms for a Training Range Facility. **Pages H3093–94**

Rejected:

Kucinich amendment (No. 3 printed in H. Rept. 112–485) that sought to prohibit the Joint Special Operations Command from conducting “signature” drone strikes, drone strikes against targets whose identity is not known or based solely on patterns of behavior of this target; **Pages H3008–09**

Conyers amendment (No. 9 printed in H. Rept. 112–485) that sought to terminate the F–35B aircraft program. Would have authorized the Secretary to procure an additional number of F/A–18E or F/A–18F aircraft to replace the F–35B aircraft; **Pages H3019–21**

Quigley amendment (No. 10 printed in H. Rept. 112–485) that sought to eliminate funds available for procurement of the V–22 Osprey aircraft, and put the savings toward deficit reduction; **Pages H3021–22**

Rohrabacher amendment (No. 4 printed in H. Rept. 112–485) that sought to prohibit the availability of funds for assistance to Pakistan in fiscal

year 2013 (by a recorded vote of 84 ayes to 335 noes, Roll No. 263); **Pages H3009–11, H3033–34**

Lee amendment (No. 5 printed in H. Rept. 112–485) that sought to end the war in Afghanistan by limiting funding to the safe and orderly withdrawal of U.S. troops and military contractors from Afghanistan (by a recorded vote of 113 ayes to 303 noes, Roll No. 264); **Pages H3011–14, H3034–35**

Markey amendment (No. 11 printed in H. Rept. 112–485) that sought to delay the development of the new long-range nuclear-capable bomber by ten years and the funding in the bill would be reduced by \$291,742,000, which is the amount planned for this bomber (by a recorded vote of 112 ayes to 308 noes, Roll No. 268); and **Pages H3022–24, H3037**

Polis amendment (No. 12 printed in H. Rept. 112–485) that sought to reduce the amount for the ground-based midcourse missile defense system by \$403 million (by a recorded vote of 165 ayes to 252 noes, Roll No. 269). **Pages H3024–26, H3037–38**

Withdrawn:

Carnahan amendment (No. 51 printed in H. Rept. 112–485) that was offered and subsequently withdrawn that would have integrated duplicative functions related to contingency operation planning, management, and oversight, which are currently spread over several U.S. Departments and Agencies, into the U.S. Office for Contingency Operations (OCO). **Pages H3086–92**

Proceedings Postponed:

Coffman amendment (No. 17 printed in H. Rept. 112–485) that seeks to reintroduce competition to the contracting of government services and repeal the moratorium on A–76 procedures; **Pages H3049–51**

Keating amendment (No. 18 printed in H. Rept. 112–485) that seeks to freeze the transfer, reduction or elimination of Air National Guard units supporting an Air and Space Operations Center or an Air Force Forces Staff until the impact of the unit’s loss and certain other information is provided to Congress; **Pages H3051–53**

Broun (GA) amendment (No. 19 printed in H. Rept. 112–485) that seeks to eliminate the maximum age limitation for individuals seeking to enlist in the U.S. military, provided they meet all of the other current qualifications for enlistment; **Pages H3053–54**

Carson amendment (No. 20 printed in H. Rept. 112–485) that seeks to prohibit military promotion boards from considering any information from official documents, word of mouth, or in writing on the pursuit of treatment or counseling for mental health or addiction issues and to require the information on this prohibition to be promulgated to current service members; **Pages H3054–56**

Cummings amendment (No. 26 printed in H. Rept. 112–485) that seeks to expand the protections under the Servicemembers Civil Relief Act (SCRA) to include servicemembers serving in a contingency operation, surviving spouses of servicemembers whose deaths are service-connected, and veterans who are totally disabled at the time of discharge; and to repeal the sunset provision that is set to expire at the end of this year and increases fines for violations of the SCRA; **Pages H3057–59**

Sablan amendment (No. 29 printed in H. Rept. 112–485) that seeks to amend 10 U.S.C. 7310(a) to include the Northern Mariana Islands as an eligible location, in addition to the United States and Guam, for the overhaul, repair and maintenance of naval vessels and other vessels under the jurisdiction of the Secretary of the Navy; **Pages H3059–61**

Johnson (GA) amendment (No. 30 printed in H. Rept. 112–485) that seeks to include a finding stating that the deployment of tactical nuclear weapons to South Korea would destabilize the Western Pacific region and would not be in the national security interests of the United States; **Pages H3067–68**

Johnson (GA) amendment (No. 31 printed in H. Rept. 112–485) that seeks to require the Secretary of Defense and the Chairman of the Joint Chiefs to report to Congress regarding whether nuclear weapons reductions pursuant to the New START Treaty are in the national security interests of the United States; **Pages H3068–70**

Price (GA) amendment (No. 32 printed in H. Rept. 112–485) that seeks to prohibit the President from making unilateral reductions to U.S. nuclear forces; **Pages H3070–71**

Rigell amendment (No. 38 printed in H. Rept. 112–485) that seeks to replace the pending sequester of discretionary spending for fiscal year 2013 and replaces it by reducing the discretionary spending limit for that year so that it conforms with the concurrent resolution on the budget deemed in force in the House, but this replacement is contingent upon the enactment of spending reductions over five years of at least the amount of the sequester it supplants; and to also require a detailed report on the impact of the sequestration of funds authorized and appropriated for Fiscal Year 2013 for the Department of Defense; **Pages H3071–73**

Lee amendment (No. 42 printed in H. Rept. 112–485) that seeks to limit Department of Defense funding to the amount authorized under the Budget Control Act of 2011, resulting in an \$8 billion reduction in spending from the level authorized by the House Armed Services Committee; **Pages H3075–76**

Gohmert amendment (No. 45 printed in H. Rept. 112–485) that seeks to clarify that the FY 2012 National Defense Authorization Act and the 2001 Au-

thorization for Use of Military Force (AUMF) do not deny the writ of habeas corpus or deny any Constitutional rights for persons detained in the United States under the AUMF who are entitled to such rights; **Pages H3076–78**

Smith (WA) amendment (No. 46 printed in H. Rept. 112–485) that seeks to strike section 1022 of the FY2012 NDAA and amends Section 1021 of same Act to eliminate indefinite military detention of any person detained under AUMF authority in U.S., territories or possessions by providing immediate transfer to trial and proceedings by a court established under Article III of the Constitution of the United States or by an appropriate State court; **Pages H3078–81**

Duncan (SC) amendment (No. 47 printed in H. Rept. 112–485) that seeks to limit funds authorized to be appropriated by this Act to any institution or organization established by the Convention on the Law of the Sea, including the International Seabed Authority, the International Tribunal for the Law of the Sea, and the Commission on the Limits of the Continental Shelf; **Page H3081**

Coffman amendment (No. 48 printed in H. Rept. 112–485) that seeks to authorize the President to remove all Brigade Combat Teams that are permanently stationed in Europe and replace them with a rotational force; **Pages H3081–83**

Lee amendment (No. 49 printed in H. Rept. 112–485) that seeks to appoint a Special Envoy for Iran to ensure that all diplomatic avenues are pursued to avoid a war with Iran and to prevent Iran from acquiring a nuclear weapon; **Pages H3083–85**

Franks (AZ) amendment (No. 54 printed in H. Rept. 112–485) that seeks to limit the availability of funds for nuclear nonproliferation activities with the Russian Federation; and **Pages H3094–95**

Pearce amendment (No. 55 printed in H. Rept. 112–485) that seeks to strike section 3156 from the bill. **Pages H3095–97**

H. Res. 661, the rule providing for further consideration of the bill, was agreed to by a recorded vote of 244 ayes to 178 noes, Roll No. 260, after the previous question was ordered by a yea-and-nay vote of 236 yeas to 182 nays, Roll No. 259.

**Pages H2827–46**

A point of order was raised against the consideration of H. Res. 661 and it was agreed to proceed with consideration of the resolution by voice vote.

**Pages H2827–28**

**Motion to Instruct Conferees:** The House debated the Representative Barrow motion to instruct conferees on H.R. 4348. Further proceedings were postponed. **Pages H3038–44**



**Motion to Instruct Conferees:** The House debated the Representative Rahall motion to instruct conferees on H.R. 4348. Further proceedings were postponed. **Pages H3044–49**

**Presidential Message:** Read a message from the President wherein he notified Congress that the national emergency declared with respect to Burma is to continue in effect beyond May 20, 2012—referred to the Committee on Foreign Affairs and ordered to be printed (H. Rept. 112–110). **Pages H2826–27**

**Senate Message:** Message received from the Senate today appears on page H3022.

**Quorum Calls—Votes:** Three yea-and-nay votes and eight recorded votes developed during the proceedings of today and appear on pages H2844–45, H2845–46, H2846, H2846–47, H3033–34, H3034–35, H3035, H3035–36, H3036–37, H3037, H3037–38. There were no quorum calls.

**Adjournment:** The House met at 10 a.m. and adjourned at 1:32 a.m. on Friday, May 18th.

## *Committee Meetings*

### **FORMULATION OF THE 2012 FARM BILL: COMMODITY PROGRAMS AND CROP INSURANCE**

*Committee on Agriculture:* Subcommittee on General Farm Commodities and Risk Management held a hearing entitled “Formulation of the 2012 Farm Bill: Commodity Programs and Crop Insurance”. Testimony was heard from public witnesses.

### **MISCELLANEOUS MEASURE**

*Committee on Appropriations:* Full Committee held a markup of Defense Appropriations Bill for FY 2013. The bill was ordered reported, as amended.

### **MISCELLANEOUS MEASURE**

*Committee on Appropriations:* Full Committee held a markup of State, Foreign Operations, and Related Programs Appropriations Bill for FY 2013. The bill was ordered reported, as amended.

### **MISCELLANEOUS MEASURES**

*Committee on Energy and Commerce:* Full Committee held a markup of H.R. 4471, the “Gasoline Regulations Act of 2012”; and H.R. 4480, the “Strategic Energy Production Act of 2012”. H.R. 4471 was ordered reported, without amendment and H.R. 4480 was ordered reported, as amended.

### **EXAMINING THE SETTLEMENT PRACTICES OF U.S. FINANCIAL REGULATORS**

*Committee on Financial Services:* Full Committee held a hearing entitled “Examining the Settlement Practices of U.S. Financial Regulators”. Testimony was

heard from Scott Alvarez, General Counsel, Board of Governors, Federal Reserve System; Robert Khuzami, Director, Division of Enforcement, U.S. Securities and Exchange Commission; Richard J. Osterman, Jr., Deputy General Counsel, Litigation and Resolutions Branch, Federal Deposit Insurance Corporation; Daniel P. Stipano, Deputy Chief Counsel, Office of the Comptroller of the Currency, William F. Galvin, Secretary, Commonwealth of Massachusetts; and public witnesses.

### **U.S. INSURANCE SECTOR: INTERNATIONAL COMPETITIVENESS AND JOBS**

*Committee on Financial Services:* Subcommittee on Insurance, Housing and Community Opportunity held a hearing entitled “U.S. Insurance Sector: International Competitiveness and Jobs”. Testimony was heard from Michael T. McRaith, Director, Federal Insurance Office, Department of the Treasury; and public witnesses.

### **IRAN SANCTIONS: STRATEGY, IMPLEMENTATION, AND ENFORCEMENT**

*Committee on Foreign Affairs:* Full Committee held a hearing entitled “Iran Sanctions: Strategy, Implementation, and Enforcement”. Testimony was heard from public witnesses.

### **TRANS-PACIFIC PARTNERSHIP AGREEMENT: CHALLENGES AND POTENTIAL**

*Committee on Foreign Affairs:* Subcommittee on Terrorism, Nonproliferation, and Trade; and Subcommittee on Asia and the Pacific held a joint hearing entitled “The Trans-Pacific Partnership Agreement: Challenges and Potential”. Testimony was heard from public witnesses.

### **CUBA’S GLOBAL NETWORK OF TERRORISM, INTELLIGENCE, AND WARFARE**

*Committee on Foreign Affairs:* Subcommittee on the Western Hemisphere held a hearing entitled “Cuba’s Global Network of Terrorism, Intelligence, and Warfare”. Testimony was heard from public witnesses.

### **DEPARTMENT OF HOMELAND SECURITY: AN EXAMINATION OF ETHICAL STANDARDS**

*Committee on Homeland Security:* Subcommittee on Oversight, Investigations, and Management held a hearing entitled “Department of Homeland Security: An Examination of Ethical Standards”. Testimony was heard from the following Department of Homeland Security officials: Charles K. Edwards, Acting Inspector General; Thomas S. Winkowski, Acting

Deputy Commissioner, Customs and Border Protection; James G. Duncan, Assistant Administrator, Office of Professional Responsibility, Transportation Security Administration; and Timothy Moynihan, Assistant Director, Office of Professional Responsibility, Immigration and Customs Enforcement.

#### LEGISLATIVE MEASURE

*Committee on the Judiciary:* Subcommittee on Crime, Terrorism, and Homeland Security held a hearing on H.R. 2168, the “Geolocational Privacy and Surveillance Act”. Testimony was heard from public witnesses.

#### LEGISLATIVE MEASURE

*Committee on the Judiciary:* Subcommittee on Immigration Policy and Enforcement held a hearing on H.R. 3039, the “Welcoming Business Travelers and Tourists to America Act of 2011”. Testimony was heard from Representative Heck and public witnesses.

#### LEGISLATIVE MEASURE

*Committee on the Judiciary:* Subcommittee on the Constitution held a hearing on H.R. 3803, the “District of Columbia Pain-Capable Unborn Child Protection Act”. Testimony was heard from public witnesses.

#### LEGISLATIVE MEASURES

*Committee on Natural Resources:* Subcommittee on Fisheries, Wildlife, Oceans and Insular Affairs held a hearing on H.R. 3065, the “Target Practice and Marksmanship Training Support Act”; and H.R. 3706, to create the Office of Chief Financial Officer of the Government of the Virgin Islands, and for other purposes. Testimony was heard from Representative Shuler; Anthony M. Babauta, Assistant Secretary of the Interior for Insular Affairs, Department of the Interior; Gordon Myers, Executive Director, North Carolina Wildlife Resources Commission; and public witnesses.

#### LEGISLATIVE MEASURES

*Committee on Natural Resources:* Subcommittee on National Parks, Forests and Public Lands held a hearing on H.R. 1103, the “American Memorial Park Tinian Annex Act”; H.R. 3100, the “San Antonio Missions National Historical Park Boundary Expansion Act”; H.R. 3365, the “Federal Land Transaction Facilitation Act Reauthorization of 2011”; H.R. 4400, the “Thomas P. O’Neill, Jr. Salt Pond Visitor Center”; and S. 270, the “La Pine Land Conveyance Act”. Testimony was heard from Representatives Canseco; Lummis; Sablan; and Walden; Mike Pool, Deputy Director, Bureau of Land Management, Department of the Interior; Victor Knox, Associate Director for Park and Planning, Facilities and Lands, National

Park Service, Department of the Interior; Pamela Watson Bain, Chairman Los Compadres de San Antonio Missions, and a public witness.

#### WORKING FOR A FIRE SAFE AMERICA: EXAMINING UNITED STATES FIRE ADMINISTRATION PRIORITIES

*Committee on Science, Space, and Technology:* Subcommittee on Technology and Innovation held a hearing entitled “Working for a Fire Safe America: Examining United States Fire Administration Priorities”. Testimony was heard from Ernest Mitchell, Jr., Administrator, United States Fire Administration; and public witnesses.

#### SUPPORTING ECONOMIC GROWTH AND JOB CREATION THROUGH CUSTOMS TRADE MODERNIZATION, FACILITATION, AND ENFORCEMENT

*Committee on Ways and Means:* Subcommittee on Trade held a hearing entitled “Supporting Economic Growth and Job Creation Through Customs Trade Modernization, Facilitation, and Enforcement”. Testimony was heard from David Aguilar, Acting Commissioner, Customs and Border Protection, Department of Homeland Security; Kumar Kibble, Deputy Director, Immigration and Customs Enforcement, Department of Homeland Security; Timothy Skud, Deputy Assistant Secretary for Tax, Trade and Tariff Policy, Department of the Treasury; and public witnesses.

#### STATE TANF SPENDING AND ITS IMPACT ON WORK REQUIREMENTS

Subcommittee on Human Resources held a hearing entitled “State TANF Spending and Its Impact on Work Requirements”. Testimony was heard from Kay E. Brown, Director, Education, Workforce, and Income Security, Government Accountability Office; Carol Cartledge, Director, Economic Assistance Policy Division, North Dakota Department of Human Services; and public witnesses.

#### INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEAR 2013; AND ISR REPORT

*House Permanent Select Committee on Intelligence:* Full Committee held a hearing entitled “Intelligence Authorization Act for Fiscal Year 2013”; and “Committee Report: Performance Audit of Defense Intelligence Surveillance, and Reconnaissance (ISR)”. The “Intelligence Authorization Act for Fiscal Year 2013” was ordered reported, as amended; and the “Committee Report: Performance Audit of Defense Intelligence Surveillance, and Reconnaissance” was approved.

## Joint Meetings

### UKRAINE'S ELECTIONS

*Commission on Security and Cooperation in Europe:* Commission concluded a hearing to examine Ukraine's upcoming elections, focusing on political parties, civil society and domestic observers ahead of the elections, the electoral framework, as well as the broader political context, after receiving testimony from David J. Kramer, Freedom House, Stephen B. Nix, International Republican Institute, Katie Fox, National Democratic Institute, and Gavin Weise, International Foundation for Electoral Systems, all of Washington, D.C.

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### NEW PUBLIC LAWS

(For last listing of Public Laws, see DAILY DIGEST, p. D346)

H.R. 298, to designate the facility of the United States Postal Service located at 500 East Whitestone Boulevard in Cedar Park, Texas, as the "Army Specialist Matthew Troy Morris Post Office Building". Signed on May 15, 2012. (Public Law 112-107)

H.R. 1423, to designate the facility of the United States Postal Service located at 115 4th Avenue Southwest in Ardmore, Oklahoma, as the "Specialist Micheal E. Phillips Post Office". Signed on May 15, 2012. (Public Law 112-108)

H.R. 2079, to designate the facility of the United States Postal Service located at 10 Main Street in East Rockaway, New York, as the "John J. Cook Post Office". Signed on May 15, 2012. (Public Law 112-109)

H.R. 2213, to designate the facility of the United States Postal Service located at 801 West Eastport Street in Iuka, Mississippi, as the "Sergeant Jason W. Vaughn Post Office". Signed on May 15, 2012. (Public Law 112-110)

H.R. 2244, to designate the facility of the United States Postal Service located at 67 Castle Street in Geneva, New York, as the "Corporal Steven Blaine Riccione Post Office". Signed on May 15, 2012. (Public Law 112-111)

H.R. 2660, to designate the facility of the United States Postal Service located at 122 North Holderrieth Boulevard in Tomball, Texas, as the "Tomball Veterans Post Office". Signed on May 15, 2012. (Public Law 112-112)

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". Signed on May 15, 2012. (Public Law 112-113)

H.R. 2767, to designate the facility of the United States Postal Service located at 8 West Silver Street in Westfield, Massachusetts, as the "William T.

Trant Post Office Building". Signed on May 15, 2012. (Public Law 112-114)

H.R. 3004, to designate the facility of the United States Postal Service located at 260 California Drive in Yountville, California, as the "Private First Class Alejandro R. Ruiz Post Office Building". Signed on May 15, 2012. (Public Law 112-115)

H.R. 3246, to designate the facility of the United States Postal Service located at 15455 Manchester Road in Ballwin, Missouri, as the "Specialist Peter J. Navarro Post Office Building". Signed on May 15, 2012. (Public Law 112-116)

H.R. 3247, to designate the facility of the United States Postal Service located at 1100 Town and Country Commons in Chesterfield, Missouri, as the "Lance Corporal Matthew P. Pathenos Post Office Building". Signed on May 15, 2012. (Public Law 112-117)

H.R. 3248, to designate the facility of the United States Postal Service located at 112 South 5th Street in Saint Charles, Missouri, as the "Lance Corporal Drew W. Weaver Post Office Building". Signed on May 15, 2012. (Public Law 112-118)

S. 1302, to authorize the Administrator of General Services to convey a parcel of real property in Tracy, California, to the City of Tracy. Signed on May 15, 2012. (Public Law 112-119)

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### COMMITTEE MEETINGS FOR FRIDAY, MAY 18, 2012

(Committee meetings are open unless otherwise indicated)

#### Senate

No meetings/hearings scheduled.

#### House

*Committee on Agriculture*, Subcommittee on Conservation, Energy, and Forestry, hearing entitled "Formulation of the 2012 Farm Bill: Energy and Forestry Programs", 9:30 a.m., 1300 Longworth.

*Committee on Appropriations*, Subcommittee on Legislative Branch, markup of Legislative Branch Appropriations Bill, FY 2013, 9:30 a.m., HT-2 Capitol.

*Committee on Financial Services*, Subcommittee on Financial Institutions and Consumer Credit, hearing entitled "The Impact of the Dodd-Frank Act: Understanding Heightened Regulatory Capital Requirements", 9:30 a.m., 2128 Rayburn.

*Committee on Homeland Security*, Subcommittee on Counterterrorism and Intelligence, hearing entitled "Terrorist Financing Since 9/11: Assessing an Evolving al Qaeda and State Sponsors of Terrorism", 9:30 a.m., 311 Cannon.

*Committee on the Judiciary*, Subcommittee on Intellectual Property, Competition and the Internet, hearing entitled "Health Care Consolidation and Competition after PPACA", 9:30 a.m., 2141 Rayburn.

## Next Meeting of the SENATE

2 p.m., Monday, May 21

## Next Meeting of the HOUSE OF REPRESENTATIVES

9 a.m., Friday, May 18

## Senate Chamber

**Program for Monday:** The Majority Leader will be recognized. The Majority Leader intends to resume consideration of the motion to proceed to consideration of S. 3187, FDA User Fee. At 4:30 p.m., Senate will resume consideration of the nomination of Paul J. Watford, of California, to be United States Circuit Judge for the Ninth Circuit, and vote on the motion to invoke cloture on the nomination at approximately 5:30 p.m. If the motion to invoke cloture is not agreed to, Senate will vote on the motion to invoke cloture on the motion to proceed to consideration of S. 3187, FDA User Fee.

## House Chamber

**Program for Friday:** Complete consideration of H.R. 4310—National Defense Authorization Act for Fiscal Year 2013.

## Extensions of Remarks, as inserted in this issue

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