

Daily Digest

HIGHLIGHTS

Senate agreed to the motion to concur in the amendment of the House of Representatives to S. 990, Small Business Additional Temporary Extension Act, with an amendment.

The House passed H.R. 1540, National Defense Authorization Act for Fiscal Year 2012.

Senate

Chamber Action

Routine Proceedings, pages S3367–S3469

Measures Introduced: Sixty-two bills and six resolutions were introduced, as follows: S. 1081–1142, S.J. Res. 17, and S. Res. 200–204. **Pages S3426–28**

Measures Reported:

S. 968, to prevent online threats to economic creativity and theft of intellectual property, with an amendment in the nature of a substitute. **Page S3426**

Measures Passed:

Small Business Act and the Small Business Investment Act: Senate passed S. 1082, to provide for an additional temporary extension of programs under the Small Business Act and the Small Business Investment Act of 1958. **Page S3372**

Intelligence Authorization Act for Fiscal Year 2011: Senate passed H.R. 754, to authorize appropriations for fiscal year 2011 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System. **Page S3458**

Faster FOIA Act: Senate passed S. 627, to establish the Commission on Freedom of Information Act Processing Delays, after agreeing to the committee amendments. **Pages S3458–60**

Honoring the Memory of the Jewish Chaplains: Committee on Veterans' Affairs was discharged from further consideration of S. Con. Res. 4, expressing the sense of Congress that an appropriate site on Chaplains Hill in Arlington National Cemetery should be provided for a memorial marker to honor the memory of the Jewish chaplains who died while on active duty in the Armed Forces of the United

States, and the resolution was then agreed to, after agreeing to the following amendment proposed thereto: **Pages S3460–61**

Klobuchar (for Murray) Amendment No. 388, to express the sense of Congress on the establishment of an advisory commission on memorials at Arlington National Cemetery and facilitate evaluation and approval of future monuments and memorials at the cemetery. **Pages S3460–61**

National Cancer Research Month: Committee on Health, Education, Labor, and Pensions was discharged from further consideration of S. Res. 172, recognizing the importance of cancer research and the contributions made by scientists and clinicians across the United States who are dedicated to finding a cure for cancer, and designating May 2011, as "National Cancer Research Month", and the resolution was then agreed to. **Page S3461**

National Foster Care Month: Senate agreed to S. Res. 203, recognizing "National Foster Care Month" as an opportunity to raise awareness about the challenges of children in the foster care system, and encouraging Congress to implement policy to improve the lives of children in the foster care system. **Page S3462**

National Hunger Awareness Day: Senate agreed to S. Res. 204, designating June 7, 2011, as "National Hunger Awareness Day". **Pages S3462–63**

House Messages:

Small Business Additional Temporary Extension Act: By 72 yeas to 23 nays (Vote No. 84), Senate agreed to the motion to concur in the amendment of the House of Representatives to S. 990, to provide for an additional temporary extension of programs under the Small Business Act and the Small Business

Investment Act of 1958, with Reid Amendment No. 347, of a perfecting nature, after taking action on the following motions and amendments proposed thereto:

Pages S3367–72, S3372–S3402

Withdrawn:

Paul Amendment No. 363 (to Reid Amendment No. 347), to clarify that the authority to obtain information under the USA PATRIOT Act and subsequent reauthorizations does not include authority to obtain certain firearm records. (By 85 yeas to 10 nays (Vote No. 82), Senate tabled the amendment.) (A unanimous-consent agreement was reached providing that the motion to table the amendment, having failed to achieve 60 votes in opposition, the amendment be withdrawn).

Pages S3400–01

Paul Amendment No. 365 (to Reid Amendment No. 347), to limit suspicious activity reporting requirements to requests from law enforcement agencies. (By 91 yeas to 4 nays (Vote No. 83), Senate tabled the amendment.) (A unanimous-consent agreement was reached providing that the motion to table the amendment, having failed to achieve 60 votes in opposition, the amendment be withdrawn).

Pages S3400–01

Reid Amendment No. 348 (to Amendment No. 347), to change the enactment date.

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

By 79 yeas to 18 nays (Vote No. 81), 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 concur in the amendment of the House to the bill, with Reid Amendment No. 347, (listed above).

Page S3368

Reid motion to refer the message of the House on the bill to the Committee on Small Business and Entrepreneurship with instructions, Reid Amendment No. 349, to change the enactment date, fell when cloture was invoked on the motion to concur in the amendment of the House to the bill, with Reid Amendment No. 347.

Page S3368

Reid Amendment No. 350 (to (the instructions) Amendment No. 349), of a perfecting nature, fell when the Reid motion to refer the message of the House on the bill to the Committee on Small Business and Entrepreneurship with instructions, Reid Amendment No. 349 fell.

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Reid Amendment No. 351 (to Amendment No. 350), of a perfecting nature, fell when Reid Amendment No. 350 (to (the instructions) Amendment No. 349) fell.

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Appointments:

National Commission for the Review of the Research and Development Programs of the United States Intelligence Community: The Chair, on be-

half of the Republican Leader, after consultation with the Chairman of the Select Committee on Intelligence of the Senate, and pursuant to the provisions of Public Law 107–306, as amended by Public Law 111–259, announced the appointment of the following individual to serve as a member of the National Commission for the Review of the Research and Development Programs of the United States Intelligence Community:

John H. Young of Virginia.

Page S3463

Congressional-Executive Commission on the People's Republic of China: The Chair, on behalf of the President of the Senate, and after consultation with the Republican Leader, pursuant to Public Law 106–286, appointed the following Members to serve on the Congressional-Executive Commission on the People's Republic of China:

Senator Collins, and

Senator Risch.

Authorizing Leadership to Make Appointments—Agreement: A unanimous-consent agreement was reached providing that from Friday, May 27, 2011 through Friday, June 3, 2011, the President of the Senate, the President Pro Tempore, and the Majority and Minority Leaders be authorized to make appointments to commissions, committees, boards, conferences, or interparliamentary conferences authorized by law, by concurrent action of the two Houses, or by order of the Senate.

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Signing Authority—Agreement: A unanimous-consent agreement was reached providing that from Thursday, May 26, 2011 through Friday, June 3, 2011, the Majority Leader, Senator Klobuchar and Senator Webb be authorized to sign duly enrolled bills or joint resolutions.

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Pro-Forma Sessions—Agreement: A unanimous-consent agreement was reached providing that when the Senate adjourns on Friday, May 27, 2011, it stand adjourned until 10 a.m. on Tuesday, May 31, 2011, for a pro-forma session only with no business conducted; that when the Senate adjourns on Tuesday, May 31, 2011, it stand adjourned until 10:30 a.m., on Friday, June 3, 2011, for a pro forma session with no business conducted.

Page S3465

Verrilli, Jr. Nomination—Agreement: Senate began consideration of the nomination of Donald B. Verrilli, Jr., of the District of Columbia, to be Solicitor General of the United States.

Pages S3457–58

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 26, 2011, a vote on

cloture will occur at approximately 5:30 p.m. on Monday, June 6, 2011. **Page S3458**

A unanimous-consent-time agreement was reached providing that Senate resume consideration of the nomination at 4:30 p.m., on Monday, June 6, 2011; that there be one hour for debate equally divided and in the usual form prior to the cloture vote.

Page S3458

Nominations Confirmed: Senate confirmed the following nominations:

Denise Ellen O'Donnell, of New York, to be Director of the Bureau of Justice Assistance.

Jo Ann Rooney, of Massachusetts, to be Principal Deputy Under Secretary of Defense for Personnel and Readiness.

Allison A. Hickey, of Virginia, to be Under Secretary for Benefits of the Department of Veterans Affairs.

Martha Wagner Weinberg, of Massachusetts, to be a Member of the National Council on the Humanities for a term expiring January 26, 2016.

Clyde E. Terry, of New Hampshire, to be a Member of the National Council on Disability for a term expiring September 17, 2013.

Cora B. Marrett, of Wisconsin, to be Deputy Director of the National Science Foundation.

Janice Lehrer-Stein, of California, to be a Member of the National Council on Disability for a term expiring September 17, 2013.

Paula Barker Duffy, of Illinois, to be a Member of the National Council on the Humanities for a term expiring January 26, 2016.

Cathy N. Davidson, of North Carolina, to be a Member of the National Council on the Humanities for a term expiring January 26, 2016.

Constance M. Carroll, of California, to be a Member of the National Council on the Humanities for a term expiring January 26, 2016.

Albert J. Beveridge III, of the District of Columbia, to be a Member of the National Council on the Humanities for a term expiring January 26, 2016.

Steve L. Muro, of California, to be Under Secretary of Veterans Affairs for Memorial Affairs.

George Albert Krol, of New Jersey, to be Ambassador to the Republic of Uzbekistan.

John A. Lancaster, of New York, to be a Member of the Board of Directors of the United States Institute of Peace for the remainder of the term expiring September 19, 2011.

John A. Lancaster, of New York, to be a Member of the Board of Directors of the United States Institute of Peace for a term of four years.

Judith A. Ansley, of Massachusetts, to be a Member of the Board of Directors of the United States Institute of Peace for the remainder of the term expiring September 19, 2011.

Judith A. Ansley, of Massachusetts, to be a Member of the Board of Directors of the United States Institute of Peace for a term of four years.

Michael E. Guest, of South Carolina, to be a Member of the National Security Education Board for a term of four years.

Ana Margarita Guzman, of Texas, to be a Member of the National Security Education Board for a term of four years.

Sim Farar, of California, to be a Member of the United States Advisory Commission on Public Diplomacy for a term expiring July 1, 2012.

William J. Hybl, of Colorado, to be a Member of the United States Advisory Commission on Public Diplomacy for a term expiring July 1, 2012.

Daniel L. Glaser, of the District of Columbia, to be Assistant Secretary for Terrorist Financing, Department of the Treasury.

Christopher B. Howard, of Virginia, to be a Member of the National Security Education Board for a term of four years.

Daniel Benjamin Shapiro, of Illinois, to be Ambassador to Israel.

Henry S. Ensher, of California, to be Ambassador to the People's Democratic Republic of Algeria.

Wanda Felton, of New York, to be First Vice President of the Export-Import Bank of the United States for a term expiring January 20, 2013.

Sean Robert Mulvaney, of Illinois, to be a Member of the Board of Directors of the Export-Import Bank of the United States for a term expiring January 20, 2015.

Stuart E. Jones, of Virginia, to be Ambassador to the Hashemite Kingdom of Jordan.

37 Air Force nominations in the rank of general.

5 Army nominations in the rank of general.

16 Marine Corps nominations in the rank of general.

4 Navy nominations in the rank of admiral.

Routine lists in the Air Force, Army, Coast Guard, Foreign Service, Marine Corps, Navy, and Public Health Service. **Pages S3463–65, S3466–69**

Nominations Received: Senate received the following nominations:

Leon E. Panetta, of California, to be Secretary of Defense.

Kathleen Kerrigan, of Massachusetts, to be a Judge of the United States Tax Court for the term of fifteen years.

Albert F. Lauber, of the District of Columbia, to be a Judge of the United States Tax Court for the term of fifteen years.

Arnold F. Stancell, of Connecticut, to be a Member of the National Science Board, National Science Foundation, for a term expiring May 10, 2014.

Ronald David McCray, of Texas, to be a Member of the Federal Retirement Thrift Investment Board for a term expiring September 25, 2012.

Ronald David McCray, of Texas, to be a Member of the Federal Retirement Thrift Investment Board for a term expiring September 25, 2016.

David H. Petraeus, of New Hampshire, to be Director of the Central Intelligence Agency.

1 Air Force nomination in the rank of general.

Routine lists in the Navy. **Page S3466**

Messages from the House: **Page S3425**

Measures Referred: **Page S3425**

Measures Read the First Time: **Pages S3425, S3463**

Executive Communications: **Pages S3425–26**

Executive Reports of Committees: **Page S3426**

Additional Cosponsors: **Pages S3428–30**

Statements on Introduced Bills/Resolutions: **Pages S3430–54**

Additional Statements: **Pages S3420–25**

Amendments Submitted: **Pages S3455–57**

Authorities for Committees to Meet: **Page S3457**

Privileges of the Floor: **Page S3457**

Record Votes: Four record votes were taken today. (Total—84) **Pages S3368, S3401**

Adjournment: Senate convened at 9:30 a.m. and adjourned at 8:30 p.m., until 9:30 a.m. on Friday, May 27, 2011. (For Senate’s program, see the remarks of the Acting Majority Leader in today’s Record on page S3465.)

Committee Meetings

(Committees not listed did not meet)

AMERICAN AGRICULTURE AND THE NEXT FARM BILL

Committee on Agriculture, Nutrition, and Forestry: Committee concluded a hearing to examine the role, risks, and challenges for American agriculture and the next farm bill in meeting the demands of a growing world, after receiving testimony from Thomas J. Vilsack, Secretary of Agriculture; Dan Glickman, The Chicago Council on Global Affairs’ Global Agricultural Development Initiative, Washington, D.C.; Barry A. Mumby, Wakeshma Farms LLC, Colon, Michigan; Andrew A. Rosenberg, Conservation International, Alexandria, Virginia; Doug DeVries, Deere and Company, Moline, Illinois; and Per Pinstrup-Andersen, Cornell University, Ithaca, New York.

APPROPRIATIONS: UNITED STATES CENTRAL COMMAND AND UNITED STATES AFRICA COMMAND

Committee on Appropriations: Subcommittee on Department of Defense met in closed session to receive a briefing on proposed budget estimates for fiscal year 2012 for United States Central Command and United States Africa Command from James N. Mattis, USMC, Commander, U.S. Central Command, and Carter F. Ham, USA, Commander, U.S. Africa Command, both of the Department of Defense.

BUSINESS MEETING

Committee on Banking, Housing, and Urban Affairs: Committee ordered favorably reported the nomination of Timothy G. Massad, of Connecticut, to be an Assistant Secretary of the Treasury.

HOUSING FINANCE SYSTEM

Committee on Banking, Housing, and Urban Affairs: Committee concluded a hearing to examine public proposals for the future of the housing finance system, after receiving testimony from Terri Ludwig, Enterprise Community Partners, New York, New York; Ron Phipps, National Association of Realtors, Warwick, Rhode Island; Mark J. Parrell, National Multi Housing Council and the National Apartment Association, and Greg Heerde, Aon Benfield, both of Chicago, Illinois; Martin S. Hughes, Redwood Trust, Inc., San Rafael, California; and Barry Rutenberg, National Association of Home Builders, Gainesville, Florida.

BUSINESS MEETING

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

S. 630, to promote marine and hydrokinetic renewable energy research and development, with amendments;

An original bill to provide for the conduct of an analysis of the impact of energy development and production on the water resources of the United States, and for other purposes;

An original bill to amend the Federal Power Act to protect the bulk-power system and electric infrastructure critical to the defense of the United States against cybersecurity and other threats and vulnerabilities;

S. 699, to authorize the Secretary of Energy to carry out a program to demonstrate the commercial application of integrated systems for long-term geological storage of carbon dioxide, with amendments; and

S. 757, to provide incentives to encourage the development and implementation of technology to capture carbon dioxide from dilute sources on a significant scale using direct air capture technologies, with amendments.

UNITED STATES-KOREA FREE TRADE AGREEMENT

Committee on Finance: Committee concluded a hearing to examine the United States-Korea Free Trade Agreement, after receiving testimony from Demetrios Marantis, Deputy United States Trade Representative; Errol Rice, Montana Stockgrowers Association Inc., Helena; Thea Mei Lee, American Federation of Labor and Congress of Industrial Organizations, Washington, D.C.; and Timothy E. Guertin, Varian Medical Systems, Inc., Palo Alto, California.

NOMINATION

Committee on Foreign Relations: Committee concluded a hearing to examine the nomination of Gary Locke, of Washington, to be Ambassador to the People's Republic of China, Department of State, after the nominee testified and answered questions in his own behalf.

BUSINESS MEETING

Committee on Homeland Security and Governmental Affairs: Committee ordered favorably reported S. 792, to authorize the waiver of certain debts relating to assistance provided to individuals and households since 2005, with an amendment in the nature of a substitute.

NATIVE LANGUAGE AND CULTURE-BASED EDUCATION

Committee on Indian Affairs: Committee concluded an oversight hearing to examine expanding the success of native language and culture-based education, after receiving testimony from Namaka Rawlins, 'Aha Punana Leo, Inc. and Hawaiian Language College, Hilo, Hawaii; Larry C. Lasley Sr., Meskwaki Settlement School Board, Tama, Iowa; Alvin N. Parker, Ka Waihona o ka Na'auao Public Charter School, Waianae, Hawaii; Kevin Shendo, Pueblo of Jemez Department of Education, Jemez Pueblo, New Mex-

ico; Jana Harcharek, North Slope Borough School District, Barrow, Alaska; David Beaulieu, University of Wisconsin-Milwaukee Electa Quinney Institute for American Indian Education; and Shawn Kanaiaupuni, Kamehameha Schools, Honolulu, Hawaii.

BUSINESS MEETING

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

S. 968, to prevent online threats to economic creativity and theft of intellectual property, with an amendment in the nature of a substitute; and

The nominations of John Andrew Ross, to be United States District Judge for the Eastern District of Missouri, Timothy M. Cain, to be United States District Judge for the District of South Carolina, Nannette Jolivette Brown, to be United States District Judge for the Eastern District of Louisiana, Nancy Torresen, to be United States District Judge for the District of Maine, and William Francis Kuntz, II, to be United States District Judge for the Eastern District of New York.

INTELLIGENCE

Select Committee on Intelligence: Committee held closed hearings on intelligence matters, receiving testimony from officials of the intelligence community.

Committee recessed subject to the call.

OLDER AMERICANS ACT

Special Committee on Aging: Committee concluded a hearing to examine meals, rides, and caregivers, focusing on the "Older Americans Act", after receiving testimony from Kathy Greenlee, Assistant Secretary of Health and Human Services for Aging; Former First Lady Rosalynn Carter, Georgia Southwestern State University Rosalynn Carter Institute for Caregiving, Americus; Heather A. Bruemmer, State of Wisconsin Board on Aging and Long Term Care, Madison; Max Richtman, Leadership Council of Aging Organizations (LCAO), Washington, D.C.; Timothy A. Howell, Senior Citizens Home Assistance Service, Inc., Knoxville, Tennessee; and Elizabeth N. Marshall, York, Pennsylvania.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 55 public bills, H.R. 2000–2054; and 7 resolutions, H.J. Res. 66; H. Con. Res. 56; and H. Res. 280, 282–285 were introduced. **Pages H3753–56**

Additional Cosponsors: **Pages H3758–59**

Reports Filed: Reports were filed today as follows:

H.R. 1425, to reauthorize and improve the SBIR and STTR programs, and for other purposes, with an amendment (Rept. 112–90 Pt. 1);

H.R. 2017, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2012, and for other purposes (H. Rept. 112–91); and

H. Res. 281, providing for consideration of the Senate amendment to the House amendment to the bill (S. 990) to provide for an additional temporary extension of programs under the Small Business Act and the Small Business Investment Act of 1958, and for other purposes (H. Rept. 112–92). **Page H3753**

National Defense Authorization Act for Fiscal Year 2012: The House passed H.R. 1540, to authorize appropriations for fiscal year 2012 for military activities of the Department of Defense and for military construction and to prescribe military personnel strengths for fiscal year 2012, by a recorded vote of 322 ayes to 96 noes, Roll No. 375. Consideration of the measure began on Tuesday, May 24th. **Pages H3687–H3737**

Rejected the Schrader motion to recommit the bill to the Committee on Armed Services with instructions to report the same back to the House forthwith with an amendment, by a recorded vote of 185 ayes to 233 noes, Roll No. 374. **Pages H3735–37**

Agreed to amend the title so as to read: “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, to prescribe military personnel strengths for such fiscal year, and for other purposes.”. **Page H3737**

Agreed to:

Inslee amendment (No. 110 printed in H. Rept. 112–88) that gives the Department of Defense the authority to provide severely wounded or seriously ill service members, who remain on active duty, with a broad range of rehabilitative equipment including recreational sports equipment that must be specially customized to meet the needs of the service member; **Pages H3687–88**

Runyan amendment (No. 134 printed in H. Rept. 112–88) that requires that the Secretary of Defense establish goals for competition in contracts for the procurement of property or services to be used outside the United States in support of a contingency operation and requires that processes be developed to measure and monitor such competition, including task order categories for services, construction, and supplies; **Pages H3690–91**

Thompson (PA) amendment (No. 141 printed in H. Rept. 112–88) that expands the Department of Defense state licensure exception to qualified and credentialed DOD healthcare professionals, including contractors and civilians, and removes the location requirement to better allow our Guard and Reserve access to immediate and efficient care; **Page H3691**

McKeon en bloc amendment No. 3 that consists of the following amendments printed in H. Rept. 112–88: Petri amendment (No. 70) 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; Akin amendment (No. 74) that adds a Sense of Congress supporting the establishment of long-term contracting authority for the DOD for procurement of alternative fuels; Boustany amendment (No. 85) that requires the Administration to submit to the appropriate committees an implementation plan for achieving the President’s “whole-of-government” integration vision and an annual update on the implementation plan; Carnahan amendment (No. 86) that withholds the use of 25 percent of funds authorized for the Afghanistan Security Forces Fund; Coffman amendment (No. 87) that requires the Secretary of Defense to submit a report to the congressional defense committees on the feasibility and desirability of recycling rare earth elements used by the DoD; Coffman amendment (No. 88) that requires the Secretary of Defense to submit a report to the congressional defense committees on methods to increase the efficiency of the tuition assistance program; Connolly amendment (No. 90) that directs the Secretary of Defense to submit a report to Congress after 180 days on the estimated cost of expanding the Homeowners Assistance Program to various servicemembers who currently are not eligible under the Permanent Change of Station category; Connolly amendment (No. 91) that improves the performance of the Federal Acquisition Institute; Connolly amendment (No. 92) that improves federal internship programs through better management and intern recruitment; Connolly amendment (No. 93) that

takes fuel costs into account during the procurement process for tents and other structures; Carson amendment (No. 94) that amends the Department of Defense pre-separation counseling program to provide discharging service members and their spouses with financial and job placement counseling; Courtney amendment (No. 95) that transfers the Troops to Teachers program from the Department of Education to the Department of Defense; Dent amendment (No. 97) that requires the Secretary of Defense to conduct a study to measure the domestic capacity in accordance with the Defense Acquisition Regulations System to manufacture ship shafts and other forged components used by surface and sub-surface vessels of the U.S. Navy; Ellison amendment (No. 101) that requires the Secretary of Defense to update the Congressional defense committees on the United States military strategy in Afghanistan in light of the death of Osama Bin Laden; Flake amendment (No. 102) that requires that the DoD make public any written communications from Congress recommending that funds specified in Division D be directed towards a particular project; Flake amendment (No. 103) that require the DoD to submit a report to Congress justifying the use of funds and detailing the process by which those funds were awarded, for each program element under Section 201 that received an authorization of appropriations that is more than what the President requested; Franks (AZ) amendment (No. 104) that transfers administrative jurisdiction, custody, and control of the Air Force Memorial from the Secretary of the Army to the Secretary of the Air Force; and Garamendi amendment (No. 105) that requires the National Academy of Sciences to Review of Nuclear Waste Reprocessing and Nuclear Reactor Technology;

Pages H3699–H3707

McKeon en bloc amendment No. 4 that consists of the following amendments printed in H. Rept. 112–88: Hanabusa amendment (No. 106) that allows those in the IRR to obtain health insurance through TRICARE for continuity of care; Hastings (WA) amendment (No. 107) that reauthorizes the Department of Energy's Office of River Protection through September 30, 2019; Hastings (FL) amendment (No. 108) that adds Sense of Congress language regarding Members of Congress obtaining a comprehensive understanding of the cultures, religions, ethnicities, geographies, histories and politics of nations in which the Armed Force are engaged; Heck amendment (No. 109) that provides DoD with the option to transition to HCFC blend fire suppressant agents to replace its current agent Halon 1211; Jackson Lee amendment (No. 112) that expresses the Sense of Congress that Post Traumatic Stress Disorder is an increasing disorder affecting returning members of the Armed Forces and access to treat-

ment for this disorder should be expanded; Kind amendment (No. 113) that allows the Secretary of Defense to enter into a special military cooperative agreement for the operation and maintenance of any State training center certified by the Federal Emergency Management Agency as capable of providing emergency response training; Kinzinger amendment (No. 114) that prohibits any funds made available by this Act from being used to research, develop, manufacture, or procure a newly designed flight suit for members of the Armed Services; Langevin amendment (No. 115) that prohibits the transfer of funds from National Defense Education Program K–12 education component; Larsen (WA) amendment (No. 116) that provides authority to the Secretary of State, with the concurrence of the Secretary of Defense, to provide assistance to foreign nations to strengthen that nation's national and regional security interests consistent with U.S. foreign policy interests and with existing law; Lee amendment (No. 117) that prohibits funding to construct permanent military bases in Iraq and Afghanistan; Lipinski amendment (No. 118) that expresses a Sense of Congress regarding the establishment of a National Korean War Museum; LoBiondo amendment (No. 119) that clarifies the SEAD/DEAD report required in Section 334 the FY2011 National Defense Authorization Act; Luetkemeyer amendment (No. 120) that directs the Secretaries of the military departments to conduct a review of military service records to determine whether certain Jewish American war veterans should be awarded the Medal of Honor; Maloney amendment (No. 121) that amends Sec. 1091 of this act to replace "Critical Infrastructure Information" in every case with "Critical Infrastructure Security Information," add a definition of Critical Infrastructure Security Information, and add a balancing test for the public interest when regarding treatment under the Freedom of Information Act; McCollum amendment (No. 122) that limits the amount spent on military musical units to \$200,000,000 in fiscal year 2012; Miller (MI) amendment (No. 123) that directs the DoD to collaborate with the Department of Homeland Security to identify technology and equipment that could be used to secure the border; Moran amendment (No. 124) that limits the number of parking spaces the Army would be permitted to use at the BRAC #133 location in Alexandria, Virginia, to 1,000; Murphy (PA) amendment (No. 125) that directs the Surgeons General of the Army, Navy, and Air Force to submit a report to Congress on whether additional behavioral health professionals are needed to treat members of the Armed Forces for PTSD and TBI; and Murphy (CT) amendment (No. 126) that requires greater transparency in the issuance of Buy American waivers;

Pages H3707–13

McKeon en bloc amendment No. 5 that consists of the following amendments printed in H. Rept. 112–88: Nugent amendment (No. 127) that expands retroactive eligibility of the Army Combat Action Badge to include members of the Army who participated in combat during which they personally engaged, or were personally engaged by, the enemy at any time on or after December 7, 1941; Pearce amendment (No. 128) that prohibits the Department of the Army from bundling contracts whose total value is more than \$1,000,000 unless certain criteria are met; Pompeo amendment (No. 129) that waives the time limitation for the award of the Medal of Honor to Father Chaplain Emil Kapaun for heroic deeds during the Korean Conflict; Pompeo amendment (No. 130) that clarifies the Medal of Honor process by requiring the Secretary of Defense, rather than the respective military service secretary, to submit the DoD recommendation to Congress; Reed (NY) amendment (No. 131) that designates TAPs as the National Song of Remembrance and prescribes procedures during the sounding of TAPs; Richardson amendment (No. 132) that expresses the sense of Congress that NORTHCOM, whose mission it is to protect the United States homeland and support local, state, and federal authorities, to develop a leadership strategy, relationships, and guidelines to work with State and Local authorities in the event of a major incident and in unforeseen circumstances; Rigell amendment (No. 133) that directs the Secretary of Defense to develop and implement a plan to address shortfalls in operational contract support requirements determination, management, oversight, and administration; Loretta Sanchez amendment (No. 135) that increases the funding for the Global Threat Reduction Initiative; Shuster amendment (No. 136) that provides a three year extension of authority to the Secretary of Defense to use acquisition and cross-servicing agreements (ACSAs) to loan certain equipment to coalition partners; Loretta Sanchez amendment (No. 137) that requires a report assessing the nuclear forces of the Russian Federations relative to the New START Treaty; Loretta Sanchez amendment (No. 138) that increases funding for the operation of the Defense Nuclear Facilities Safety Board by \$2,500,000; Smith (WA) amendment (No. 139) that requires the President to develop strategies to address a prioritized list of areas that serve or could serve as potential safe havens for al Qaeda and its violent extremist affiliates; Smith (WA) amendment (No. 140) that requires a report on Research and Treatment of Post-Traumatic Stress Disorder; Thornberry amendment (No. 142) that protects private sector companies participating in the Defense Industrial Base (DIB) Active Cyber Defense Pilot Project from potential liability as an agent of the

government; Tierney amendment (No. 46) that officially recognizes the City of Salem, Massachusetts, as the birthplace of the National Guard of the United States; Tierney amendment (No. 143) that requires the DoD to submit a report to Congress assessing the manufacturing industry of the United States; Tierney amendment (No. 144) that establishes a working group to monitor the foreign police training programs, projects, and activities of the various Federal departments and agencies and coordinate and unify such programs, projects and activities under a single strategic framework; Tierney amendment (No. 145) that creates an Assistant Secretary of Defense for Contingency Contracting; Turner amendment (No. 146) that clarifies the intent of section 1055 by explicitly allowing activities determined by the Secretary of Defense to be necessary to ensure the continued safety, security, and reliability of the nuclear weapons stockpile; and Turner amendment (No. 147) that creates an additional exception allowing for the reductions, withdrawals, or consolidations of non-strategic nuclear weapons in Europe, when made pursuant to either a Treaty or authorized by an Act of Congress;

Pages H3713–19

McKeon en bloc amendment No. 6 that consists of the following amendments printed in H. Rept. 112–88: Boswell amendment (No. 18), as modified, that grants the Secretary of Defense the discretion to also use funds retained in Section 646 for substance abuse prevention programs provided to the military community surrounding the commissary store where the alcoholic and tobacco products are purchased while ensuring that the enhanced commissary stores receive necessary funds; Boswell amendment (No. 20) that requires DoD and VA to conduct a joint study on the incident rate of breast cancer of service members who have deployed to Iraq and Afghanistan under operation Iraqi Freedom and Operation Enduring Freedom; Boswell amendment (No. 84) that adds a Sense of Congress that a focus on alternative, self-sufficient energy sources that reduce costs in the long term should be part of consideration for contracts for logistics support of contingency operations; Pascrell amendment (No. 22) that requires the Department of Defense to develop a plan to transfer the Defense Centers of Excellence for Psychological Health and Traumatic Brain Injury to one of the services in order to be most effectively managed; Pascrell amendment (No. 23) that requires the Defense Department to report to Congress on their plans to identify, refer, and treat service members with possible traumatic brain injuries who may have slipped through the cracks prior to the June 2010 policy; Davis (CA) amendment (No. 57) that fences 25% of the funds made available through the Afghanistan Infrastructure Fund until the Secretary of

Defense, in discussion with the Secretary of State, have determined that women are an integral part of the reconciliation process between the government of Afghanistan and the Taliban; Davis (CA) amendment (No. 72) that requires the Secretary of the Navy to submit a report to Congress detailing the efforts being made to establish maintenance, repair and overhaul capability for Navy unmanned aerial systems; Davis (CA) amendment (No. 96) that modifies a current GAO reporting requirement on TRICARE Standard and Extra from “bi-annual” to “biennial”; Young (IN) amendment (No. 150) that provides the Secretary of Defense with the authority to use funding to carry out a program designed to reintegrate former low-level Taliban fighters into Afghan society; Walz amendment (No. 151) that requires DOD to submit a report to Congress outlining a plan that would ensure access to the Guard and Reserves for missions short of war; and Turner amendment (No. 149) that includes a Sense of Congress that any commercial communications that interferes with the Global Positioning System (GPS) should not receive final authorization by the Federal Communications Commission until the potential interference with GPS is resolved; **Pages H3719–22**

Mica amendment (No. 38 printed in H. Rept. 112–88) that was debated on May 25th that requires that the rules of engagement allow any military service personnel assigned to duty in a designated hostile fire area to have rules of engagement that fully protects their right to proactively defend themselves from hostile actions (by a recorded vote of 260 ayes to 160 noes, Roll No. 354); **Page H3722**

Flake amendment (No. 40 printed in H. Rept. 112–88) that was debated on May 25th that repeals the establishment of the National Drug Intelligence Center (by a recorded vote of 246 ayes to 172 noes, Roll No. 355); **Pages H3722–23**

Buchanan amendment (No. 43 printed in H. Rept. 112–88) that was debated on May 25th that requires all foreign terrorists, with links to terrorist networks, who attack the United States or the Government be considered enemy combatants to be tried by military tribunals, not in the civilian court system (by a recorded vote of 246 ayes to 173 noes, Roll No. 357); **Page H3724**

Mack amendment (No. 48 printed in H. Rept. 112–88) that was debated on May 25th that makes changes to the language of the Sunken Military Craft Act of H.R. 1540, the National Defense Authorization Act for Fiscal Year 2012. Clarifies the language of the Sunken Military Craft Act to restore its original intent, and specifies that a sunken military craft would be defined as a vessel only when on military

noncommercial service when it sank (by a recorded vote of 227 ayes to 193 noes, Roll No. 359);

Pages H3725–26

Conyers amendment (No. 61 printed in H. Rept. 112–88) that was debated on May 25th that prevents funds authorized in the Act from being used to deploy, establish, or maintain the presence of Members of the Armed Forces or private security contractors on the ground in Libya unless the purpose of the presence is to rescue a Member of the Armed Forces from imminent danger (by a recorded vote of 416 ayes to 5 noes, Roll No. 366);

Page H3730

Flake amendment (No. 62 printed in H. Rept. 112–88) that was debated on May 25th that eliminates funds for the Mission Force Enhancement Transfer Fund (by a recorded vote of 269 ayes to 151 noes, Roll No. 367);

Pages H3730–31

Jackson Lee (TX) amendment (No. 111 printed in H. Rept. 112–88) that designates a National Day of Honor for members of the Armed Forces who have served in Iraq, Afghanistan, and other combat areas (by a recorded vote of 419 ayes with none voting “no”, Roll No. 370);

Pages H3688–90, H3732–33

Turner amendment (No. 148 printed in H. Rept. 112–88) that requires a report on the cost-benefit analysis of migrating the management headquarters for the Air Force’s Enterprise Logistics System Program Executive Office (by a recorded vote of 300 ayes to 120 noes, Roll No. 371); and

Pages H3691–93, H3733–34

Cravaack amendment (No. 152 printed in H. Rept. 112–88) that repeals Title VXII of the Department of Defense Authorization Act, 1985, which authorized the establishment of the United States Institute of Peace (by a recorded vote of 226 ayes to 194 noes, Roll No. 372).

Pages H3693–95

Rejected:

Smith (WA) amendment (No. 42 printed in H. Rept. 112–88) that was debated on May 25th that sought to amend Section 1039 to allow transfer of detainees to the U.S. to testify in federal court. The amendment strikes language barring transfer of detainees held abroad to the U.S. and requires certification by the Attorney General prior to transfer (by a recorded vote of 165 ayes to 253 noes, Roll No. 356);

Pages H3723–24

Maloney amendment (No. 47 printed in H. Rept. 112–88) that was debated on May 25th that sought to clarify that the exemption from Freedom of Information Act for Data Files of the Military Flight Operations Quality Assurance Systems of the Military Departments is for “information contained in data files of the military flight operations quality assurance system of a military department that would reveal flight patterns or tactical techniques or tactical

procedures from disclosure under section” (by a recorded vote of 91 ayes to 329 noes, Roll No. 358);

Pages H3724–25

Langevin amendment (No. 49 printed in H. Rept. 112–88) that was debated on May 25th that sought to coordinate federal information security policy through the creation of a National Office for Cyberspace, updating information security management practices, and establishing measures for the protection of critical infrastructure from cyberattacks (by a recorded vote of 172 ayes to 246 noes, Roll No. 360);

Page H3726

Amash amendment (No. 50 printed in H. Rept. 112–88) that was debated on May 25th that sought to strike section 1034 of the bill, relating to the authorization for use of military force (by a recorded vote of 187 ayes to 234 noes, Roll No. 361);

Pages H3726–27

Campbell amendment (No. 53 printed in H. Rept. 112–88) that was debated on May 25th that sought to terminate the Human, Social, and Culture Behavior (HSCB) Modeling program at the Department of Defense (by a recorded vote of 63 ayes to 354 noes, Roll No. 362);

Pages H3727–28

Campbell amendment (No. 54 printed in H. Rept. 112–88) that was debated on May 25th that sought to reduce the baseline number of civilian employees at the Department of Defense by 1% every year for the next five years (by a recorded vote of 98 ayes to 321 noes, Roll No. 363);

Page H3728

Chaffetz amendment (No. 56 printed in H. Rept. 112–88) that was debated on May 25th that sought to require U.S. ground troops to withdraw from Afghanistan, leaving just those who are involved in small, targeted counter-terrorism operations. The amendment would further require the Secretary of Defense to submit a withdrawal plan to Congress within 60 days of enactment (by a recorded vote of 123 ayes to 294 noes, Roll No. 364);

Pages H3728–29

Polis amendment (No. 60 printed in H. Rept. 112–88) that was debated on May 25th that sought to reduce the amount of troops stationed in Europe to 30,000 and would cut overall end strength levels by 10,000 a year over the next five years (by a recorded vote of 96 ayes to 323 noes with 1 voting “present”, Roll No. 365);

Pages H3729–30

Ellison amendment (No. 63 printed in H. Rept. 112–88) that was debated on May 25th that sought to strike section 1604, Budget Item Relating to LHA—7 Ship Program (by a recorded vote of 176 ayes to 241 noes, Roll No. 368);

Pages H3731–32

Loretta Sanchez amendment (No. 64 printed in H. Rept. 112–88) that was debated on May 25th that sought to reduce the funding for Ground-based Mid-course Defense systems by \$100,000,000 (by a re-

corded vote of 184 ayes to 234 noes, Roll No. 369); and

Page H3732

McGovern amendment (No. 55 printed in H. Rept. 112–88) that sought to require: 1) A plan and timeframe on accelerated transition of military operations to Afghan authorities; 2) A plan and timeframe on negotiations leading to a political solution and reconciliation in Afghanistan; and 3) A new National Intelligence Estimate (NIE) on al-Qaeda. The amendment would clarify that nothing in this section limits the president under existing authority to go after al-Qaeda, share intelligence, or modify military strategy and tactics while redeploying U.S. forces under the plan/timeframe required above (by a recorded vote of 204 ayes to 215 noes, Roll No. 373).

Pages H3687, H3695–99, H3734–35

Agreed that the Clerk be authorized to make technical and conforming changes to reflect the actions of the House.

Page H3738

H. Res. 276, the rule providing for further consideration of the bill (H.R. 1540), was agreed to yesterday, May 25th.

Recess: The House recessed at 2:41 p.m. and reconvened at 6:45 p.m.

Page H3738

Meeting Hour: Agreed that when the House adjourns today, it adjourn to meet at 10 a.m. tomorrow, May 27th, and further, when the House adjourns on that day, it adjourn to meet at 12 noon on Tuesday, May 31st for morning hour debate and 2 p.m. for legislative business.

Page H3738

Small Business Additional Temporary Extension Act of 2011: The House concurred in the Senate amendment to the House amendment to S. 990, to provide for an additional temporary extension of programs under the Small Business Act and the Small Business Investment Act of 1958, by a yea-and-nay vote of 250 yeas to 153 nays, Roll No. 376.

Pages H3738–46

H. Res. 281, the rule providing for consideration of the Senate amendment, was agreed to by voice vote after the previous question was ordered without objection.

Pages H3738–39

United States Group of the NATO Parliamentary Assembly—Appointment: The Chair announced the Speaker’s appointment of the following Member of the House to the United States Group of the NATO Parliamentary Assembly: Representative Larson (CT).

Page H3746

Senate Messages: Messages received from the Senate by the Clerk and subsequently presented to the House today appear on pages H3738.

Senate Referrals: S. Con. Res. 13 was referred to the Committee on Armed Services and the Committee on Veterans Affairs; S. 1082 was held at the desk.

Page H3752

Quorum Calls—Votes: One yea-and-nay vote and twenty-two recorded votes developed during the proceedings of today and appear on pages H3722, H3723, H3723–24, H3724, H3724–25, H3725–26, H3726, H3726–27, H3727–28, H3728, H3728–29, H3729–30, H3730, H3730–31, H3731–32, H3732, H3732–33, H3733–34, H3734, H3734–35, H3736–37, H3737, H3745. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 9:04 p.m.

Committee Meetings

IMPACT OF UNION PRESSURE ON JOB CREATION

Committee on Education and the Workforce: Subcommittee on Health, Employment, Labor and Pensions held a hearing entitled “Corporate Campaigns and the NLRB: The Impact of Union Pressure on Job Creation.” Testimony was heard from public witnesses.

MISCELLANEOUS MEASURES

Committee on Energy and Commerce: Full Committee continued markup on H.R. 908, the Full Implementation of the Chemical Facility Anti-Terrorism Standards (CFATS) Act. The bill was ordered reported, as amended.

FDIC OVERSIGHT

Committee on Financial Services: Subcommittee on Financial Institutions and Consumer Credit held a hearing entitled “FDIC Oversight: Examining and Evaluating the Role of the Regulator During the Financial Crisis and Today.” Testimony was heard from Sheila Bair, Chairman, FDIC.

UNLOCKING THE SAFETY ACT’S POTENTIAL TO PROMOTE TECHNOLOGY AND COMBAT TERRORISM

Committee on Homeland Security: Subcommittee on Cybersecurity, Infrastructure Protection and Security Technologies held a hearing entitled “Unlocking the SAFETY Act’s Potential to Promote Technology and Combat Terrorism.” Testimony was heard from Paul Benda, Acting Deputy Under Secretary, Science and Technology Directorate, Department of Homeland Security; and public witnesses.

INSPECTOR GENERAL AUDIT OF THE HOUSE’S F.Y. 2009 FINANCIAL STATEMENTS

Committee on House Administration: Subcommittee on Oversight held a hearing on Inspector General Audit of the House’s F.Y. 2009 Financial Statements. Testimony was heard from Dan Strodel, Chief Administrative Officer, United States House of Representatives; and Theresa Grafenstine, Inspector General, United States House of Representatives.

AT&T AND T-MOBILE MERGER

Committee on the Judiciary: Subcommittee on Intellectual Property, Competition and the Internet held a hearing entitled “How Will the Proposed Merger Between AT&T and T-Mobile Affect Wireless Telecommunications Competition?” Testimony was heard from public witnesses.

LEGISLATIVE MEASURES

Committee on Natural Resources: Subcommittee on Indian and Alaska Native Affairs held a hearing on H.R. 1408, to provide for the settlement of certain claims under the Alaska Native Claims Settlement Act, and for other purposes. Testimony was heard from Harris Sherman, Under Secretary, Natural Resources and Environment, Department of Agriculture; and public witnesses.

NATIONAL WILDLIFE REFUGE SYSTEM’S OPERATIONS AND MAINTENANCE

Committee on Natural Resources: Subcommittee on Fisheries, Wildlife, Oceans, and Insular Affairs held a hearing on “Buying More Land When We Can’t Maintain What We Already Own: The National Wildlife Refuge System’s Operations and Maintenance Backlog Story!” Testimony was heard from James W. Kurth, Acting Assistant Director, National Wildlife Refuge, Fish and Wildlife Service; Dan Forster, Director, Wildlife Resources Division, Georgia Department of Natural Resources; and public witnesses.

FEDERAL WORKFORCE

Committee on Oversight and Government Reform: Subcommittee on Federal Workforce, U.S. Postal Service and Labor Policy held a hearing entitled “Rightsizing the Federal Workforce.” Testimony was heard from public witnesses.

SMALL BUSINESS ADDITIONAL TEMPORARY EXTENSION ACT OF 2011 (SENATE AMENDMENT TO THE HOUSE AMENDMENT ON THE PATRIOT SUNSETS EXTENSION ACT OF 2011)

Committee on Rules: The Committee granted, by voice vote, a rule providing for the consideration of the

Senate Amendment to the House Amendment to S. 990. The rule makes in order a motion by the chair of the Committee on the Judiciary that the House concur. The rule provides one hour of debate on the motion with 40 minutes equally divided and controlled by the chair and ranking minority member of the Committee on the Judiciary and 20 minutes equally divided and controlled by the chair and ranking minority member of the Permanent Select Committee on Intelligence. The rule waives all points of order against consideration of the motion. Finally, the rule provides that the Senate amendment shall be considered as read. No testimony was given.

NASA'S COMMERCIAL CARGO PROVIDERS

Committee on Science, Space, and Technology: Subcommittee on Space and Aeronautics held a hearing on NASA's Commercial Cargo Providers: Are They Ready to Supply the Space Station in the Post-Shuttle Era? Testimony was heard from William Gerstenmaier, Associate Administrator, Space Operations Mission Directorate, NASA; Cristina Chaplain, Director, Acquisition and Sourcing Management, GAO; and public witnesses.

THE NEED TO REPEAL THE 3% WITHHOLDING PROVISION

Committee on Small Business: Subcommittee on Contracting and Workforce held a hearing entitled "Defer No More: The Need to Repeal the 3% Withholding Provision." Testimony was heard from Rep. Herger; Brian George, Deputy Director, Office of Cost, Pricing and Finance, Department of Defense,

Dave McDermott, Director, Standards and Compliance, Defense Finance and Accounting Service, Department of Defense, Washington, Curtis M. Loftis Jr., Treasurer, South Carolina; and public witnesses.

HIGH-SPEED RAIL

Committee on Transportation and Infrastructure: Full Committee held a hearing entitled "Opening the Northeast Corridor to Private Competition for the Development of High-Speed Rail." Testimony was heard from public witnesses.

INTELLIGENCE AUTHORIZATION FY 2012

House Permanent Select Committee on Intelligence: Full Committee held a markup on H.R. 1892, Intelligence Authorization Act for Fiscal Year 2012. Hearing began as an open hearing and then proceeded to a closed hearing. The bill was ordered reported, as amended.

Joint Meetings

No joint committee meetings were held.

COMMITTEE MEETINGS FOR FRIDAY, MAY 27, 2011

(Committee meetings are open unless otherwise indicated)

Senate

No meetings/hearings scheduled.

House

There are no hearings scheduled.

Next Meeting of the SENATE

9:30 a.m., Friday, May 27

Next Meeting of the HOUSE OF REPRESENTATIVES

10 a.m., Friday, May 27

Senate Chamber

Program for Friday: Senate will meet in a pro forma session.

House Chamber

Program for Friday: The House will meet in pro forma session at 10 a.m.

Extensions of Remarks, as inserted in this issue

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