

# Daily Digest

## Senate

### Chamber Action

*Routine Proceedings, pages S4919–S4983*

**Measures Introduced:** Eight bills were introduced, as follows: S. 3377–3384. **Page S4950**

#### Measures Reported:

S. 2218, to reauthorize the United States Fire Administration. (S. Rept. No. 112–180)

S. 1409, to intensify efforts to identify, prevent, and recover payment error, waste, fraud, and abuse within Federal spending, with an amendment in the nature of a substitute. (S. Rept. No. 112–181)

Report to accompany 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. (S. Rept. No. 112–182)

H.R. 3902, to amend the District of Columbia Home Rule Act to revise the timing of special elections for local office in the District of Columbia.

S. 1744, to provide funding for State courts to assess and improve the handling of proceedings relating to adult guardianship and conservatorship, to authorize the Attorney General to carry out a pilot program for the conduct of background checks on individuals to be appointed as guardians or conservators, and to promote the widespread adoption of information technology to better monitor, report, and audit conservatorships of protected persons, with an amendment in the nature of a substitute. **Page S4950**

#### Measures Passed:

**District of Columbia Special Election Reform Act:** Senate passed H.R. 3902, to amend the District of Columbia Home Rule Act to revise the timing of special elections for local office in the District of Columbia. **Page S4980**

**National Baseball Hall of Fame Commemorative Coin Act:** Committee on Banking, Housing, and Urban Affairs was discharged from further consideration of H.R. 2527, to require the Secretary of the Treasury to mint coins in recognition and celebration of the National Baseball Hall of Fame, and the bill was then passed, after agreeing to the following amendment proposed thereto: **Pages S4980–81**

Reid (for Gillibrand) Amendment No. 2553, in the nature of a substitute. **Pages S4980–81**

#### Measures Considered:

**Disclose Act—Cloture:** Senate began consideration of the motion to proceed to consideration of S. 3369, to amend the Federal Election Campaign Act of 1971 to provide for additional disclosure requirements for corporations, labor organizations, Super PACs and other entities. **Pages S4919–32, S4938–43**

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, and pursuant to the unanimous-consent agreement of Thursday, July 12, 2012, a vote on cloture will occur on Monday, July 16, 2012. **Page S4942**

A unanimous-consent-time agreement was reached providing that on Monday, July 16, 2012, following the vote on confirmation of the nomination of Kevin McNulty, of New Jersey, to be United States District Judge for the District of New Jersey, there be up to 10 minutes of debate, equally divided between the two Leaders, or their designees, prior to the cloture vote on the motion to proceed to consideration of the bill. **Pages S4942–43**

**Small Business Jobs and Tax Relief Act:** Senate continued consideration of S. 2237, to provide a temporary income tax credit for increased payroll and extend bonus depreciation for an additional year, taking action on the following amendments and motions proposed thereto: **Pages S4932–38**

#### Rejected:

Reid Amendment No. 2524 (to the language proposed to be stricken by Amendment No. 2521), of a perfecting nature. (By 73 yeas to 24 nays (Vote No. 175), Senate tabled the amendment.) **Pages S4932, S4936**

#### Pending:

Reid (for Landrieu) Amendment No. 2521, in the nature of a substitute. **Pages S4932, S4937–38**

Reid Amendment No. 2522 (to Amendment No. 2521), to change the enactment date. **Page S4932**

Reid Amendment No. 2523 (to Amendment No. 2522), of a perfecting nature. **Page S4932**

Reid motion to commit the bill to the Committee on Finance, with instructions, Reid Amendment No. 2526, to change the enactment date. **Page S4932**

Reid Amendment No. 2527 (to (the instructions) Amendment No. 2526), of a perfecting nature.

**Page S4932**

Reid Amendment No. 2528 (to Amendment No. 2527), of a perfecting nature. **Page S4932**

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

Reid Amendment No. 2525 (to Amendment No. 2524), to change the enactment date, fell when Reid Amendment No. 2524 (to the language proposed to be stricken by Amendment No. 2521) was tabled.

**Page S4938**

By 57 yeas to 41 nays (Vote No. 176), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to close further debate on Reid (for Landrieu) Amendment No. 2521. **Page S4938**

By 53 yeas to 44 nays (Vote No. 177), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to close further debate on the bill. **Page S4938**

Subsequently, the bill was returned to the calendar. **Page S4938**

**McNulty Nomination—Agreement:** A unanimous-consent-time agreement was reached providing that at 5 p.m., on Monday, July 16, 2012, Senate begin consideration of the nomination of Kevin McNulty, of New Jersey, to be United States District Judge for the District of New Jersey; that there be 30 minutes for debate equally divided in the usual form; that upon the use or yielding back of time, Senate vote, without intervening action or debate, on confirmation of the nomination; and that no further motions be in order. **Page S4942**

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

Mark A. Barnett, of Virginia, to be a Judge of the United States Court of International Trade.

Angela Tammy Dickinson, of Missouri, to be United States Attorney for the Western District of Missouri for the term of four years.

A routine list in the Foreign Service.

**Pages S4982–83**

**Messages from the House:** **Page S4949**

**Measures Read the First Time:** **Page S4949**

**Executive Communications:** **Pages S4949–50**

**Executive Reports of Committees:** **Page S4950**

**Additional Cosponsors:** **Pages S4950–52**

**Statements on Introduced Bills/Resolutions:** **Pages S4952–60**

**Additional Statements:** **Pages S4945–48**

**Amendments Submitted:** **Pages S4960–80**

**Authorities for Committees to Meet:** **Page S4980**

**Record Votes:** Three record votes were taken today. (Total—177) **Pages S4936, S4938**

**Adjournment:** Senate convened at 9:32 a.m. and adjourned at 5:48 p.m., until 2 p.m. on Monday, July 16, 2012. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S4982.)

## *Committee Meetings*

*(Committees not listed did not meet)*

### **MEDICATION AND PERFORMANCE ENHANCING DRUGS IN HORSE RACING**

*Committee on Commerce, Science, and Transportation:* Committee concluded a hearing to examine medication and performance enhancing drugs in horse racing, after receiving testimony from Barry Irwin, Team Valor International, Versailles, Kentucky; Kent H. Stirling, National Horsemen's Benevolent and Protective Association, and Edward J. Martin, Association of Racing Commissioners International, both of Lexington, Kentucky; Jeffrey Gural, Newmark Grubb Knight Frank, and James Gagliano, The Jockey Club, both of New York, New York; Matthew Witman, American Quarter Horse Association, Guthrie, Oklahoma; Marc S. Paulhus, Humane Society of the United States, Hendersonville, North Carolina; and Sheila Lyons, American College of Veterinary Sports Medicine and Rehabilitation, Brockton, Massachusetts.

### **NATIONAL PETROLEUM RESERVE—ALASKA**

*Committee on Energy and Natural Resources:* Committee concluded an oversight hearing to examine remediation of Federal legacy wells in the National Petroleum Reserve—Alaska, after receiving testimony from Bud Cribley, State Director, Alaska, Bureau of Land Management, Department of the Interior; and Alaska State Representative Charisse Millett, and Cathy Foerster, Alaska Oil and Gas Conservation Commission, both of Anchorage.

### **LEAD'S IMPACTS ON CHILDREN'S DEVELOPMENT AND PUBLIC HEALTH**

*Committee on Environment and Public Works:* Committee concluded a hearing to examine the latest science on lead's impacts on children's development and public health, after receiving testimony from Christopher Portier, Director, National Center for Environmental Health, Centers for Disease Control

and Prevention and Agency for Toxic Substances and Disease Registry, Department of Health and Human Services; and John Vandenberg, National Center for Environmental Assessment, Office of Research and Development, Environmental Protection Agency.

### CONVENTION ON THE RIGHTS OF PERSONS WITH DISABILITIES

*Committee on Foreign Relations:* Committee concluded a hearing to examine the Convention on the Rights of Persons with Disabilities (Treaty Doc. 112–7), after receiving testimony from Senators McCain and Harkin; Judith Heumann, Special Adviser for International Disability Rights, Department of State; Eve Hill, Senior Counselor to the Assistant Attorney General for Civil Rights, and John L. Wodatch, former Chief, Disability Rights Section, Civil Rights Division, and Dick Thornburgh, former Attorney General of the United States, both of Washington, D.C., all of the Department of Justice; Steven Groves, Heritage Foundation Margaret Thatcher Center for Freedom, and John Lancaster, National Council on Independent Living, both of Washington, D.C.; and Michael Farris, Patrick Henry College, Purcellville, Virginia.

### HOMELAND SECURITY

*Committee on Homeland Security and Governmental Affairs:* Committee concluded a hearing to examine the future of Homeland Security, focusing on the evolution of the Homeland Security Department's roles and missions, after receiving testimony from former Representative Jane Harman, Woodrow Wilson International Center for Scholars, Washington, D.C.; and Thad W. Allen, Admiral, United States Coast Guard (Ret.), McLean, Virginia, and Richard L. Skinner, former Inspector General, Alexandria, Virginia, both of the Department of Homeland Security.

### NOMINATION

*Committee on Homeland Security and Governmental Affairs:* Committee concluded a hearing to examine the nomination of Stephen Crawford, of Maryland, to be a Governor of the United States Postal Service, after the nominee, who was introduced by Senator Cardin, testified and answered questions in his own behalf.

### POSITIVE LEARNING ENVIRONMENTS

*Committee on Health, Education, Labor, and Pensions:* Committee concluded a hearing to examine creating positive learning environments for all students, after receiving testimony from Daniel Crimmins, Georgia State University Institute of Public Health Center

for Leadership in Disability, Atlanta, Georgia; Cyndi Pitonyak, Montgomery County Public Schools, Christiansburg, Virginia; Michael George, Centennial School of Lehigh University, Bethlehem, Pennsylvania; and Debbie Jackson, Easton, Pennsylvania.

### FEDERAL RECOGNITION

*Committee on Indian Affairs:* Committee concluded an oversight hearing to examine Federal recognition, focusing on political and legal relationship between governments, after receiving testimony from Senator Jim Webb; Bryan Newland, Senior Policy Advisor, Office of the Assistant Secretary for Indian Affairs, Department of the Interior; Stephen R. Adkins, Chickahominy Indian Tribe, Charles City, Virginia; Paul Brooks, Lumbee Tribe of North Carolina, Pembroke; Jon Norwood, Task Force on Federal Acknowledgment of the National Congress of American Indians, and Michael J. Anderson, Anderson Indian Law, both of Washington, D.C.; and K. Jerome Gottschalk, Native American Rights Fund, Boulder, Colorado, on behalf of the Little Shell Tribe of Chippewa Indians of Montana.

### BUSINESS MEETING

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

S. 1744, to provide funding for State courts to assess and improve the handling of proceedings relating to adult guardianship and conservatorship, to authorize the Attorney General to carry out a pilot program for the conduct of background checks on individuals to be appointed as guardians or conservators, and to promote the widespread adoption of information technology to better monitor, report, and audit conservatorships of protected persons, with amendments; and

The nominations of Terrence G. Berg, to be United States District Judge for the Eastern District of Michigan, Jesus G. Bernal, to be United States District Judge for the Central District of California, Lorna G. Schofield, to be United States District Judge for the Southern District of New York, and Danny Chappelle Williams, Sr., to be United States Attorney for the Northern District of Oklahoma, Department of Justice.

### 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.

# House of Representatives

## Chamber Action

**Public Bills and Resolutions Introduced:** 20 public bills, H.R. 6106–6125; 1 private bill, H.R. 6126; and 1 resolution, H. Res. 728, were introduced. **Pages H4862–63**

**Additional Cosponsors:** **Pages H4864–65**

**Report Filed:** A report was filed today as follows:

H.R. 3120, to amend the Immigration and Nationality Act to require accreditation of certain educational institutions for purposes of a nonimmigrant student visa, and for other purposes, with an amendment (H. Rept. 112–595). **Page H4862**

**Speaker:** Read a letter from the Speaker wherein he appointed Representative Capito to act as Speaker pro tempore for today. **Page H4829**

**National Strategic and Critical Minerals Production Act of 2012:** The House passed H.R. 4402, to require the Secretary of the Interior and the Secretary of Agriculture to more efficiently develop domestic sources of the minerals and mineral materials of strategic and critical importance to United States economic and national security and manufacturing competitiveness, by a recorded vote of 256 ayes to 160 noes, Roll No. 468. **Pages H4831–55**

Rejected the Slaughter motion to recommit the bill to the Committee on Natural Resources with instructions to report the same back to the House forthwith with an amendment, by a yea-and-nay vote of 181 yeas to 231 nays, Roll No. 467. **Pages H4852–54**

Pursuant to the rule, an amendment in the nature of a substitute consisting of the text of Rules Committee Print 112–26 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 Natural Resources now printed in the bill. **Page H4839**

Agreed to:

Cravaack amendment (No. 5 printed in H. Rept. 112–590) that allows projects that have already applied for a permit access to the new expedited process under the bill and **Pages H4845–46**

Young (AK) amendment (No. 4 printed in H. Rept. 112–590) that allows the lead agency, as established under this bill, to exempt existing Mineral Prescriptions for strategic and critical materials within Federally administered national forests from the procedures detailed at and all rules promulgated under part 294 of title 36 of the Code for Federal Regulations. In addition, the amendment extends

this exemption to areas integral to access of the Mineral Prescriptions, and the construction, operation, maintenance, and restoration of any existing Mineral Prescriptions (by a recorded vote of 238 ayes to 178 noes, Roll No. 465). **Pages H4844–45, H4850–51**

Rejected:

Hastings (FL) amendment (No. 6 printed in H. Rept. 112–590) that sought to create an exception for non-profit entities and individuals from the outright elimination (found in Section 205 of H.R. 4402) of the shifting of attorneys' fees pursuant to the Equal Access to Justice Act; **Pages H4846–47**

Tonko amendment (No. 1 printed in H. Rept. 112–590) that sought to narrow the scope of the underlying bill to include strategic and critical minerals only (by a recorded vote of 162 ayes to 251 noes, Roll No. 462); **Pages H4840–41, H4848–49**

Hastings (FL) amendment (No. 2 printed in H. Rept. 112–590) that sought to give the lead agency, in the event of new or unforeseen information, the authority to extend by two six-month periods the arbitrary 30 month time limit the bill imposes on permit approval (by a recorded vote of 162 ayes to 252 noes, Roll No. 463); **Pages H4841–42, H4849–50**

Markey amendment (No. 3 printed in H. Rept. 112–590) that sought to require a royalty payment of 12.5% of the value of hardrock minerals mined on Federal lands. Revenue generated by the royalty payment would be dedicated to cleaning up abandoned hardrock mines (by a recorded vote of 163 ayes to 253 noes, Roll No. 464); and **Pages H4842–44, H4850**

Grijalva amendment (No. 7 printed in H. Rept. 112–590) that sought to exempt from the bill any mineral exploration or mining permit a lead agency determines would diminish opportunities for hunting, fishing, grazing, or recreation on public lands. By protecting the status of hunting, fishing, grazing and other recreational uses on Federal lands, the amendment sought to guarantee that the multiple use mandate for Federal lands was not compromised by the underlying bill (by a recorded vote of 167 ayes to 248 noes, Roll No. 466). **Pages H4847–48, H4851–52**

H. Res. 726, the rule providing for consideration of the bill, was agreed to yesterday, July 11th.

**Meeting Hour:** Agreed that when the House adjourns today, it adjourn to meet at 10 a.m. tomorrow, and further when the House adjourns on that day, it adjourn to meet at 12 noon on Tuesday, July 17th for morning hour debate. **Page H4859**

**Discharge Petition:** Representative Van Hollen presented to the clerk a motion to discharge the Committees on House Administration and the Judiciary from the consideration of H.R. 4010, to amend the Federal Election Campaign Act of 1971 to provide for additional disclosure requirements for corporations, labor organizations, and other entities, and for other purposes (Discharge Petition No. 4).

**Senate Message:** Message received from the Senate today appears on page H4855.

**Amendments:** Amendments ordered printed pursuant to the rule appear on page H4865.

**Quorum Calls—Votes:** One yea-and-nay vote and six recorded votes developed during the proceedings of today and appear on pages H4849, H4849–50, H4850, H4850–51, H4851–52, H4853–54, and H4854–55. There were no quorum calls.

**Adjournment:** The House met at 9 a.m. and adjourned at 1:55 p.m.

## Committee Meetings

### MISCELLANEOUS MEASURE

*Committee on Agriculture:* Full Committee completed markup of H. R. 6083, the “Federal Agriculture Reform and Risk Management Act”. The bill was ordered reported, as amended.

### DEPARTMENT OF THE AIR FORCE AIRCRAFT FORCE STRUCTURE REDUCTIONS

*Committee on Armed Services:* Subcommittee on Readiness held a hearing entitled “Department of the Air Force aircraft force structure reductions”. Testimony was heard from Governor Terry Branstad, Iowa; Lieutenant General Christopher D. Miller, USAF, Deputy Chief of Staff for Strategic Plans and Programs, A8, Department of the Air Force; and Major General Timothy J. Lowenberg, USAF, The Adjutant General, Washington State.

### LEGISLATIVE MEASURES

*Committee on Energy and Commerce:* Subcommittee on Energy and Power; and Subcommittee on Oversight and Investigations held a joint hearing on discussion draft on “No More Solyndras Act”; and “Smart Energy Act”. Testimony was heard from David G. Frantz, Acting Executive Director, Loan Program Office, Department of Energy; Dr. Kathleen Hogan, Deputy Assistant Secretary for Energy Efficiency Office of Energy Efficiency and Renewable Energy, Department of Energy; and public witnesses.

### RENEWAL OF THE FEDERAL TRADE COMMISSION’S AUTHORITY TO COMBAT CROSS-BORDER SPAM, SPYWARE AND FRAUD THROUGH REAUTHORIZATION OF THE U.S. SAFE WEB ACT OF 2006

*Committee on Energy and Commerce:* Subcommittee on Commerce, Manufacturing, and Trade, hearing entitled “The renewal of the Federal Trade Commission’s authority to combat cross-border spam, spyware and fraud through reauthorization of the U.S. SAFE WEB Act of 2006”. Testimony was heard from Hugh G. Stevenson, Deputy Director for International Consumer Protection Office of International Affairs, Federal Trade Commission.

*Committee on Homeland Security:* Subcommittee on Cybersecurity, Infrastructure Protection, and Security Technologies held a hearing entitled “Securing Ammonium Nitrate: Using Lessons Learned in Afghanistan to Protect the Homeland from IEDs”. This hearing began as an open hearing and moved to a closed hearing. Testimony was heard from John P. Woods, Assistant Director, Homeland Security Investigations, Immigration and Customs Enforcement, Department of Homeland Security; LTG Michael D. Barbero, Director, Joint IED Defeat Organization, Department of Defense; and Charles Michael Johnson, Jr., Director, International Counterterrorism and Security Assistance Issues, Government Accountability Office.

### CLEARING THE WAY FOR JOBS AND GROWTH: RETROSPECTIVE REVIEW TO REDUCE RED TAPE AND REGULATIONS

*Committee on the Judiciary:* Subcommittee on Courts, Commercial and Administrative Law held a hearing entitled “Clearing the Way for Jobs and Growth: Retrospective Review to Reduce Red Tape and Regulations”. Testimony was heard from public witnesses.

### SPURRING ECONOMIC GROWTH AND COMPETITIVENESS THROUGH NASA DERIVED TECHNOLOGIES

*Committee on Science, Space, and Technology:* Subcommittee on Space and Aeronautics held a hearing entitled “Spurring Economic Growth and Competitiveness Through NASA Derived Technologies”. Testimony was heard from Mason Peck, Chief Technologist, National Aeronautics and Space Administration; and public witnesses.

*Committee on Small Business:* Subcommittee on Investigations, Oversight and Regulations held a hearing entitled “Sinking the Marine Industry: How Regulations are Affecting Today’s Maritime Businesses”. Testimony was heard from public witnesses.

### *Joint Meetings*

No joint committee meetings were held.

### COMMITTEE MEETINGS FOR FRIDAY, JULY 13, 2012

*(Committee meetings are open unless otherwise indicated)*

#### Senate

No meetings/hearings scheduled.

#### House

No hearings are scheduled.

## Next Meeting of the SENATE

2 p.m., Monday, July 16

## Senate Chamber

**Program for Monday:** The Majority Leader will be recognized. At 5 p.m., Senate will begin consideration of the nomination of Kevin McNulty, of New Jersey, to be United States District Judge for the District of New Jersey, and vote on confirmation of the nomination at approximately 5:30 p.m. Following which, Senate will resume consideration of the motion to proceed to consideration of S. 3369, DISCLOSE Act, with ten minutes of debate, and vote on the motion to invoke cloture on the motion to proceed to consideration of the bill.

## Next Meeting of the HOUSE OF REPRESENTATIVES

10 a.m., Friday, July 13

## 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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