

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S5419–S5629

Measures Introduced: Ten bills and four resolutions were introduced, as follows: S. 3444–3453 and S. Res. 529–532. **Pages S5486–87**

Measures Passed:

Lions Clubs International Century of Service Commemorative Coin Act: Committee on Banking, Housing, and Urban Affairs was discharged from further consideration of S. 1299, to require the Secretary of the Treasury to mint coins in commemoration of the centennial of the establishment of Lions Clubs International, and the bill was then passed. **Pages S5625–26**

Prostate Cancer in African-American Men: Senate agreed to S. Res. 529, recognizing that the occurrence of prostate cancer in African-American men has reached epidemic proportions and urging Federal agencies to address that health crisis by supporting education, awareness outreach, and research specifically focused on how prostate cancer affects African-American men. **Page S5626**

National Registered Apprenticeship Month: Senate agreed to S. Res. 530, designating the month of August 2012 as “National Registered Apprenticeship Month”. **Page S5626**

Supporting Team USA in the 2012 Olympic and Paralympic Games: Senate agreed to S. Res. 531, commemorating the success of Team USA in the past 25 Olympic Games and supporting Team USA in the 2012 Olympic and Paralympic Games. **Pages S5626–27**

XIX International AIDS Conference: Senate agreed to S. Res. 532, expressing support for the XIX International AIDS Conference and the sense of the Senate that continued commitment by the United States to HIV/AIDS research, prevention, and treatment programs is crucial to protecting global health. **Page S5627**

Authorizing Printing: Committee on Rules and Administration was discharged from further consideration of H. Con. Res. 90, authorizing the printing

of the 25th edition of the pocket version of the United States Constitution, and the resolution was then agreed to. **Pages S5627–28**

Authorizing the Use of the Rotunda: Senate agreed to H. Con. Res. 133, authorizing the use of the rotunda of the United States Capitol for an event to present the Congressional Gold Medal to Arnold Palmer, in recognition of his service to the Nation in promoting excellence and good sportsmanship in golf. **Page S5628**

Condemning the Atrocities that Occurred in Aurora, Colorado: Senate agreed to H. Con. Res. 134, condemning, in the strongest possible terms, the heinous atrocities that occurred in Aurora, Colorado. **Page S5628**

Measures Considered:

Cybersecurity Act—Agreement: Senate continued consideration of the motion to proceed to consideration of S. 3414, to enhance the security and resiliency of the cyber and communications infrastructure of the United States. **Pages S5419–49, S5450–67**

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

By 84 yeas to 11 nays (Vote No. 185), three-fifths of those Senators duly chosen and sworn, having voted in the affirmative, Senate agreed to the motion to close further debate on the motion to proceed to consideration of the bill. **Page S5450**

A unanimous-consent agreement was reached providing that if cloture is not invoked on the nomination of Robert E. Bacharach, of Oklahoma, to be United States Circuit Judge for the Tenth Circuit, Senate adopt the motion to proceed to consideration of the bill; and, that if cloture is invoked on the nomination, upon disposition of the nomination, Senate adopt the motion to proceed to consideration of the bill. **Page S5450**

House Messages:

Haqqani Network Terrorist Designation Act: Senate concurred in the amendment of the House of Representatives to S. 1959, to require a report on the designation of the Haqqani Network as a foreign terrorist organization. **Pages S5624–25**

Bacharach Nomination—Cloture: Senate began consideration of the nomination of Robert E. Bacharach, of Oklahoma, to be United States Circuit Judge for the Tenth Circuit. **Pages S5449–50**

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, July 26, 2012, a vote on cloture will occur at approximately 5:30 p.m. on Monday, July 30, 2012. **Pages S5449–50**

A unanimous-consent-time agreement was reached providing that at 4:30 p.m., on Monday, July 30, 2012, Senate resume consideration of the nomination with one hour of debate equally divided and controlled in the usual form prior to a cloture vote on the nomination. **Page S5628**

Galante Nomination—Agreement: A unanimous-consent-time agreement was reached providing that at a time to be determined by the Majority Leader, in consultation with the Republican Leader, Senate begin consideration of the nomination of Carol J. Galante, of California, to be an Assistant Secretary of Housing and Urban Development; that there be 60 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; that the nomination be subject to a 60 vote threshold; and that no further motions be in order to the nomination. **Page S5623**

Nominations Confirmed: Senate confirmed the following nominations:

- 6 Air Force nominations in the rank of general.
- 7 Army nominations in the rank of general.
- 1 Marine Corps nomination in the rank of general.
- 19 Navy nominations in the rank of admiral.
- Routine lists in the Air Force, Army, and Navy.

Pages S5628–29

Messages from the House: **Pages S5482–83**

Measures Read the First Time: **Pages S5483, S5628**

Enrolled Bills Presented: **Page S5483**

Executive Communications: **Pages S5483–85**

Executive Reports of Committees: **Pages S5485–86**

Additional Cosponsors: **Pages S5487–88**

Statements on Introduced Bills/Resolutions:
Pages S5488–94

Additional Statements: **Pages S5478–82**

Amendments Submitted: **Pages S5494–S5622**

Authorities for Committees to Meet:
Pages S5622–23

Privileges of the Floor: **Page S5623**

Record Votes: One record vote was taken today. (Total—185) **Page S5450**

Adjournment: Senate convened at 9:30 a.m. and adjourned at 7 p.m., until 2 p.m. on Monday, July 30, 2012. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S5628.)

Committee Meetings

(Committees not listed did not meet)

EGG PRODUCTS INSPECTION ACT AMENDMENTS

Committee on Agriculture, Nutrition, and Forestry: Committee concluded a hearing to examine S. 3239, to provide for a uniform national standard for the housing and treatment of egg-laying hens, after receiving testimony from Senator Feinstein; David Lathem, Lathem Farms, Pendergrass, Georgia; Eric Benson, JS West, Modesto, California; Greg Herbruck, Herbruck's Poultry Ranch, Saranac, Michigan; and Amon Baer, Mendelson Egg Company, Lake Park, Minnesota.

FINANCIAL STABILITY OVERSIGHT COUNCIL'S ANNUAL REPORT

Committee on Banking, Housing, and Urban Affairs: Committee concluded a hearing to examine the Financial Stability Oversight Council's Annual Report to Congress, after receiving testimony from Timothy F. Geithner, Secretary of the Treasury.

BUSINESS MEETING

Committee on Foreign Relations: Committee ordered favorably reported the following business items:

The Convention on the Rights of Persons with Disabilities, Adopted by the United Nations General Assembly on December 13, 2006, and Signed by the United States of America on June 30, 2009 (Treaty Doc 112–7), as amended; and

The nominations of Gene Allan Cretz, of New York, to be Ambassador to the Republic of Ghana, Deborah Ruth Malac, of Virginia, to be Ambassador to the Republic of Liberia, David Bruce Wharton, of Virginia, to be Ambassador to the Republic of Zimbabwe, Alexander Mark Laskaris, of Maryland, to be Ambassador to the Republic of Guinea, Marcie B. Ries, of the District of Columbia, to be Ambassador to the Republic of Bulgaria, John M. Koenig, of Washington, to be Ambassador to the Republic of Cyprus, Michael David Kirby, of Virginia, to be Ambassador to the Republic of Serbia, Thomas Hart Armbruster, of New York, to be Ambassador to the Republic of the Marshall Islands, Greta Christine

Holtz, of Maryland, to be Ambassador to the Sultanate of Oman, and lists in the Foreign Service, all of the Department of State.

CHILD CARE AND DEVELOPMENT BLOCK GRANT REAUTHORIZATION

Committee on Health, Education, Labor, and Pensions: Subcommittee on Children and Families concluded a hearing to examine the Child Care and Development Block Grant reauthorization, focusing on helping to meet the child care needs of American families, after receiving testimony from Linda K. Smith, Deputy Assistant Secretary of Health and Human Services and Inter-Departmental Liaison for Early Childhood Development, Administration for Children and Families; Rolf Grafwallner, Maryland State Department of Education Assistant State Superintendent, Baltimore; Janet Singerman, Child Care Resources Inc., Charlotte, North Carolina; Phil Acord, Children's Home, Chattanooga, Tennessee; and Susana Coro, Falls Church/McLean Children's Center, Falls Church, Virginia.

TRIBAL GAMING

Committee on Indian Affairs: Committee concluded an oversight hearing to examine the regulation of tribal gaming, focusing on brick and mortar to the inter-

net, after receiving testimony from former Representative Jon C. Porter, Las Vegas, Nevada, on behalf of Porter Gordon Silver Communications; Tracie Stevens, Chairwoman, National Indian Gaming Commission; Bruce Bozsum, The Mohegan Tribe, Uncasville, Connecticut; Glen Gobin, The Tulalip Tribes, Tulalip, Washington; Jamie Hummingbird, Cherokee Nation Gaming Commission, Tahlequah, Oklahoma, on behalf of the National Tribal Gaming Commissioners/Regulators Association; Elizabeth Lohah Homer, Homer Law, Washington, D.C.; and Gene Johnson, Spectrum Gaming Group, Linwood, New Jersey.

NOMINATION

Committee on the Judiciary: Committee concluded a hearing to examine the nomination of William Joseph Baer, of Maryland, to be an Assistant Attorney General, Department of Justice, after the nominee, who was introduced by Senator Kohl, testified and answered questions in his own behalf.

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: 23 public bills, H.R. 6205–6227; and 3 resolutions, H. Res. 742–744 were introduced. **Pages H5326–27**

Additional Cosponsors: **Page H5328**

Reports Filed: Reports were filed today as follows:

H.R. 6122, to revise the authority of the Librarian of Congress to accept gifts and bequests on behalf of the Library, and for other purposes (H. Rept. 112–624);

H.R. 1402, to authorize the Architect of the Capitol to establish battery recharging stations for privately owned vehicles in parking areas under the jurisdiction of the House of Representatives at no net cost to the Federal Government, with an amendment (H. Rept. 112–625);

H.R. 3641, to establish Pinnacles National Park in the State of California as a unit of the National Park System, and for other purposes, with an amendment (H. Rept. 112–626); and H.R. 4606, to authorize the issuance of right-of-way permits for nat-

ural gas pipelines in Glacier National Park, and for other purposes, with an amendment (H. Rept. 112–627). **Page H5326**

Condemning, in the strongest possible terms, the heinous atrocities that occurred in Aurora, Colorado: The House agreed to H. Con. Res. 134, to condemn, in the strongest possible terms, the heinous atrocities that occurred in Aurora, Colorado.

Pages H5297–H5302

H. Con. Res. 134 was considered pursuant to the order of the House of July 25, 2012.

Regulatory Freeze for Jobs Act of 2012: The House passed H.R. 4078, to provide that no agency may take any significant regulatory action until the unemployment rate is equal to or less than 6.0 percent, by a recorded vote of 245 ayes to 172 noes, Roll No. 536. Consideration of the measure began yesterday, July 25th. **Pages H5302–20**

Rejected the Sutton motion to recommit the bill to the Committee on Oversight and Government Reform with instructions to report the same back to

the House forthwith with an amendment, by a yeand-nay vote of 181 yeas to 234 nays, Roll No. 535.

Pages H5318–19

Agreed to:

Posey amendment (No. 11 printed in part B of H. Rept. 112–616) that was debated on July 25th that requires that awarded attorney's fees and costs for small businesses in Title I would be paid out of the administrative budget of the office in the agency that proposed the regulation (by a recorded vote of 248 ayes to 171 noes, Roll No. 525); **Pages H5311–12**

McKinley amendment (No. 13 printed in part B of H. Rept. 112–616) that was debated on July 25th that reduces the term "significant regulatory action" from \$100,000,000 or more to \$50,000,000 or more in annual cost to the economy. This amendment would allow for more oversight on Federal Agency Regulations by lowering the dollar amount threshold (by a recorded vote of 240 ayes to 178 noes, Roll No. 527); **Pages H5312–13**

Fitzpatrick amendment (No. 19 printed in part B of H. Rept. 112–616) that was debated on July 25th that directs the Securities and Exchange Commission to take into account the large burden of section 404b of Sarbanes-Oxley on companies with a public float less than \$250 million, compared to the benefit (by a recorded vote of 251 ayes to 166 noes, Roll No. 531); **Pages H5315–16**

Posey amendment (No. 20 printed in part B of H. Rept. 112–616) that was debated on July 25th that keeps the U.S. Securities and Exchange Commission (SEC) from enforcing or issuing interpretive guidance on climate change (by a recorded vote of 245 ayes to 171 noes, Roll No. 532); and **Page H5316**

Posey amendment (No. 25 printed in part B of H. Rept. 112–616) that was debated on July 25th that makes it clear that the definition of "significant regulatory action" would include new Treasury regulations regarding non-resident alien deposits (by a recorded vote of 251 ayes to 165 noes, Roll No. 534). **Pages H5317–18**

Rejected:

Watt amendment (No. 6 printed in part B of H. Rept. 112–616) that was debated on July 25th that sought to exempt regulatory actions that are regulatory actions by the U.S. Patent and Trademark Office that streamline the application process for patents and trademarks, including rules implementing the micro entity provision of the Leahy-Smith America Invents Act, from Title I of the bill and exempt midnight rules implementing such provisions from Title II of the bill. The amendment also would have exempted consent decrees and settlement agreements in an action to compel agency action by the PTO to help streamline the application process for patents

and trademarks from Title III of the bill (by a recorded vote of 177 ayes to 244 noes, Roll No. 520); **Page H5308**

Loeb sack amendment (No. 7 printed in part B of H. Rept. 112–616) that was debated on July 25th that sought to allow actions that would lower prices for gasoline, diesel, oil, or other motor fuels (by a recorded vote of 177 ayes to 238 noes, Roll No. 521); **Pages H5308–09**

Richardson amendment (No. 8 printed in part B of H. Rept. 112–616) that was debated on July 25th that sought to ensure that the provisions of the Patient Protection and Affordable Care Act and the health provisions of the Health Care and Education Reconciliation Act of 2010 can be carried out (by a recorded vote of 170 ayes to 247 noes, Roll No. 522); **Pages H5309–10**

Richardson amendment (No. 9 printed in part B of H. Rept. 112–616) that was debated on July 25th that sought to allow regulations that protect consumers under the Fair Credit Reporting Act (by a recorded vote of 173 ayes to 246 noes, Roll No. 523); **Page H5310**

Connolly amendment (No. 10 printed in part B of H. Rept. 112–616) that was debated on July 25th that sought to clarify the procedure for considering a request for a congressional waiver by the President (by a recorded vote of 179 ayes to 234 noes, Roll No. 524); **Pages H5310–11**

Nadler amendment (No. 12 printed in part B of H. Rept. 112–616) that was debated on July 25th that sought to exempt issues relating to nuclear power plants from the obstacles to establishing safety protections in the following titles of H.R. 4078: Title I (Regulatory Freeze for Jobs Act); Title III (Sunshine for Regulatory Decrees and Settlements Act); Title V (Responsibly and Professionally Invigorating Development (RAPID) Act) (by a recorded vote of 176 ayes to 243 noes, Roll No. 526); **Page H5312**

George Miller (CA) amendment (No. 15 printed in part B of H. Rept. 112–616) that was debated on July 25th that sought to exempt from the definition of significant regulatory action a rule that would prevent or reduce deaths or injuries caused by explosions and fires related to the ignition of combustible dusts in the workplace (by a recorded vote of 174 ayes to 239 noes, Roll No. 528); **Pages H5313–14**

Woolsey amendment (No. 16 printed in part B of H. Rept. 112–616) that was debated on July 25th that sought to exempt from the definition of significant regulatory action a rule that would prevent or reduce the number of workers suffering electrocutions or other fatalities associated with working on high voltage transmission and distribution lines (by

a recorded vote of 178 ayes to 236 noes, Roll No. 529);

Page H5314

Waters amendment (No. 18 printed in part B of H. Rept. 112–616) that was debated on July 25th that sought to authorize appropriations (1) to enable the SEC and CFTC to carry out the additional cost/benefit analysis requirements under the bill; (2) for costs of litigation incurred by the Commissions related to the requirements under the bill (by a recorded vote of 171 ayes to 247 noes, Roll No. 530); and

Pages H5314–15

Maloney amendment (No. 21 printed in part B of H. Rept. 112–616) that was debated on July 25th that sought to mandate that Title VI cannot take effect until the Chair of the SEC certifies that in conducting the cost benefit analysis no resources will be diverted away from the SEC's mission to protect investors, maintain efficient markets and promote access to capital (by a recorded vote of 173 ayes to 243 noes, Roll No. 533).

Pages H5316–17

H. Res. 741, the rule providing for further consideration of the bill, was agreed to by voice vote.

Page H5307

Agreed to the Foxx amendment to the rule by voice vote, after agreeing to order the previous question by a yea-and-nay vote of 235 yeas to 183 nays, Roll No. 519.

Pages H5302–07

Meeting Hour: Agreed that when the House adjourns today, it adjourn to meet at 2 p.m. on Monday, July 30th.

Page H5323

Senate Message: Message received from the Senate today appears on page H5302.

Senate Referral: S. 285 was referred to the Committee on the Judiciary.

Page H5325

Quorum Calls—Votes: Two yea-and-nay votes and 16 recorded votes developed during the proceedings of today and appear on pages H5307, H5308, H5308–09, H5309–10, H5310, H5310–11, H5311–12, H5312, H5312–13, H5313–14, H5314, H5314–15, H5315, H5316, H5316–17, H5317, H5319, H5319–20. There were no quorum calls.

Adjournment: The House met at 9 a.m. and adjourned at 1:39 p.m.

Committee Meetings

DEPARTMENT OF HOMELAND SECURITY— CHEMICAL FACILITY ANTI-TERRORISM STANDARDS (CFATS) PROGRAM

Committee on Appropriations: Full Committee held a hearing on the Department of Homeland Security—Chemical Facility Anti-Terrorism Standards (CFATS) Program. Testimony was heard from Steve Caldwell, Director, Homeland Security and Justice Issues,

Government Accountability Office; and Suzanne Spaulding, Deputy Under Secretary, National Protection and Programs Directorate, Department of Homeland Security.

CIVILIAN WORKFORCE REQUIREMENTS— NOW AND ACROSS THE FUTURE YEARS DEFENSE PROGRAM

Committee on Armed Services: Subcommittee on Readiness held a hearing on Civilian Workforce Requirements—Now and Across the Future Years Defense Program. Testimony was heard from Frederick E. Vollrath, Principal Deputy Assistant Secretary of Defense for Readiness and Force Management, Department of Defense; and Brenda Farrell, Director, Defense Capabilities and Management, Government Accountability Office.

MISCELLANEOUS MEASURE

Committee on Energy and Commerce: Subcommittee on Environment and the Economy held a markup of S. 710, the “Hazardous Waste Electronic Manifest Establishment Act”. The bill was forwarded, as amended.

THE 10TH ANNIVERSARY OF THE SARBANES-OXLEY ACT

Committee on Financial Services: Subcommittee on Capital Markets held a hearing entitled “The 10th Anniversary of the Sarbanes-Oxley Act”. Testimony was heard from public witnesses.

PREVENTING NUCLEAR TERRORISM

Committee on Homeland Security: Subcommittee on Cybersecurity, Infrastructure Protection, and Security Technologies held a hearing entitled “Preventing Nuclear Terrorism: Does DHS Have an Effective and Efficient Nuclear Detection Strategy?”. Testimony was heard from Huban Gowadia, Acting Director, Domestic Nuclear Detection Office, Department of Homeland Security; David Maurer, Director, Homeland Security and Justice Issues, Government Accountability Office; and Vayl Oxford, National Security Executive Policy Advisor, Pacific Northwest National Laboratory.

DEPARTMENT OF JUSTICE CIVIL RIGHTS DIVISION

Committee on the Judiciary: Subcommittee on the Constitution held a hearing on the U.S. Department of Justice Civil Rights Division. Testimony was heard from Thomas E. Perez, Assistant Attorney General, Civil Rights Division.

MISCELLANEOUS MEASURES

Committee on Rules: Full Committee held a markup of H.R. 6169, the “Pathway to Job Creation through

a Simpler, Fairer Tax Code Act of 2012". The bill was ordered reported, without amendment.

REVIEW OF DOE VEHICLE TECHNOLOGIES PROGRAM MANAGEMENT AND ACTIVITIES: ASSURING APPROPRIATE AND EFFECTIVE USE OF TAXPAYER FUNDING

Committee on Science, Space, and Technology: Subcommittee on Energy and Environment held a hearing entitled "Review of DOE Vehicle Technologies Program Management and Activities: Assuring Appropriate and Effective Use of Taxpayer Funding". Testimony was heard from Kathleen Hogan, Deputy Assistant Secretary for Energy Efficiency, Office of Energy Efficiency and Renewable Energy, Department of Energy; and Rickey R. Hass, Deputy Inspector General for Audits and Inspections, Office of Inspector General, Department of Energy; and a public witness.

FOREIGN TRADE BARRIERS FACING SMALL AGRICULTURE EXPORTERS

Committee on Small Business: Subcommittee on Agriculture, Energy and Trade held a hearing entitled "Market Closed: Foreign Trade Barriers Facing Small Agriculture Exporters". Testimony was heard from public witnesses.

MISCELLANEOUS MEASURES

Committee on Transportation and Infrastructure: Full Committee held a markup of the following: H.R. 3158, the "Farmers Undertake Environmental Land Stewardship Act"; H.R. 5797, the "Mille Lacs Lake Freedom To Fish Act of 2012"; and approval of General Services Administration Capital Investment and Leasing Program Resolutions. H.R. 5797 was ordered reported, as amended; and H.R. 3158 was ordered reported, without amendment. The Com-

mittee approved 13 of the General Services Administration Capital Investment and Leasing Program Resolutions.

MISCELLANEOUS MEASURE

Committee on Ways and Means: Full Committee held a markup of H.R. 6156, "The Russia and Moldova Jackson-Vanik Repeal Act of 2012". The bill was ordered reported, without amendment.

ONGOING INTELLIGENCE ACTIVITIES

House Permanent Select Committee on Intelligence: Full Committee held a hearing on ongoing intelligence activities. This was a closed hearing.

Joint Meetings

No joint committee meetings were held.

NEW PUBLIC LAWS

(For last listing of Public Laws, see DAILY DIGEST, p. D751)

H.R. 4155, to direct the head of each Federal department and agency to treat relevant military training as sufficient to satisfy training or certification requirements for Federal licenses. Signed on July 23, 2012. (Public Law 112-147)

**COMMITTEE MEETINGS FOR FRIDAY,
JULY 27, 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 30

Senate Chamber

Program for Monday: The Majority Leader will be recognized. At 4:30 p.m., Senate will resume consideration of the nomination of Robert E. Bacharach, of Oklahoma, to be United States Circuit Judge for the Tenth Circuit, and vote on the motion to invoke cloture on the nomination at approximately 5:30 p.m.

If cloture is not invoked on the nomination, Senate will adopt the motion to proceed to consideration of S. 3414, Cybersecurity Act. If cloture is invoked on the nomination, upon disposition of the nomination, Senate will adopt the motion to proceed to consideration of S. 3414, Cybersecurity Act.

Next Meeting of the HOUSE OF REPRESENTATIVES

2 p.m., Monday, July 30

House Chamber

Program for Monday: The House will meet in pro forma session at 2 p.m.

Extensions of Remarks, as inserted in this issue

HOUSE

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