

# Daily Digest

## HIGHLIGHTS

Senate agreed to the motion to concur in the amendment of the House of Representatives to the amendment of the Senate to H.R. 2608, Small Business Program Extension and Reform Act, with an amendment.

Senate passed H.R. 2017, Department of Homeland Security Appropriations Act, as amended.

## Senate

### Chamber Action

*Routine Proceedings, pages S5961–S6009*

**Measures Introduced:** Three bills and two resolutions were introduced, as follows: S. 1633–1635, and S. Res. 283–284. **Page S5992**

#### Measures Passed:

*Department of Homeland Security Appropriations Act:* Senate passed H.R. 2017, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2012, after agreeing to the committee amendment in the nature of a substitute, and the following amendments proposed thereto: **Pages S5977–87**

#### Adopted:

Reid Amendment No. 666, in the nature of a substitute. **Page S5987**

Reid Amendment No. 667, to amend the title. **Page S5987**

*Combating Autism Reauthorization Act:* Senate passed H.R. 2005, to reauthorize the Combating Autism Act of 2006. **Page S6004**

*Kate Puze Peace Corps Volunteer Protection Act:* Senate passed S. 1280, to amend the Peace Corps Act to require sexual assault risk-reduction and response training, the development of sexual assault protocol and guidelines, the establishment of victims advocates, the establishment of a Sexual Assault Advisory Council, after agreeing to the committee amendment in the nature of a substitute, and the following amendment proposed thereto: **Pages S6004–07**

Reid (for Isakson/Boxer) Amendment No. 668, in the nature of a substitute. **Page S6007**

*Bi-State Development Agency:* Committee on the Judiciary was discharged from further consideration of S.J. Res. 22, to grant the consent of Congress to an amendment to the compact between the States of Missouri and Illinois providing that bonds issued by the Bi-State Development Agency may mature in not to exceed 40 years, and the resolution was then passed. **Page S6007**

*Correction in the Enrollment of H.R. 2608:* Senate agreed to H. Con. Res. 81, directing the Clerk of the House of Representatives to make a correction in the enrollment of H.R. 2608. **Page S6007**

*National Day of Remembrance for Nuclear Weapons Program Workers:* Committee on the Judiciary was discharged from further consideration of S. Res. 275, designating October 30, 2011, as a national day of remembrance for nuclear weapons program workers, and the resolution was then agreed to. **Pages S6007–08**

*International Year of Chemistry:* Senate agreed to S. Res. 283, designating the year of 2011 as the “International Year of Chemistry.” **Page S6008**

*National Falls Prevention Awareness Day:* Senate agreed to S. Res. 284, designating September 23, 2011, as “National Falls Prevention Awareness Day” to raise awareness and encourage the prevention of falls among older adults. **Page S6008**

#### Measures Considered:

*Currency Exchange Rate Oversight Reform Act—Cloture:* Senate began consideration of the motion to proceed to consideration of S. 1619, to provide for identification of misaligned currency, require action to correct the misalignment. **Page S6003**

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 Monday, September 26, 2011, a vote on cloture will occur on Monday, October 3, 2011, upon disposition of the nomination of Henry F. Floyd, of South Carolina, to be United States Circuit Judge for the Fourth Circuit. **Page S6003**

A unanimous-consent agreement was reached providing that at 3:30 p.m., on Monday, October 3, 2011, Senate resume consideration of the motion to proceed to consideration of the bill, with the time until 4:30 p.m. equally divided and controlled between the two Leaders, or their designees. **Page S6009**

#### House Messages:

**Small Business Program Extension and Reform Act:** By 79 yeas to 12 nays (Vote No. 153), Senate agreed to the motion to concur in the amendment of the House of Representatives to the amendment of the Senate to H.R. 2608, 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. 665 (to the amendment of the House to the amendment of the Senate to the bill), of a perfecting nature, 60 Senators having voted in the affirmative, and taking action on the following amendments and motions proposed thereto: **Pages S5966–77**

#### Withdrawn:

Reid Motion to refer the message of the House on the bill to the Committee on Appropriations with instructions, Reid Amendment No. 658, to change the enactment date. **Page S5966**

Reid Motion to concur in the amendment of the House of Representatives to the amendment of the Senate to the bill, with Reid Amendment No. 656 (to the amendment of the House to the amendment of the Senate to the bill), to provide continuing appropriations in fiscal year 2011 and additional appropriations for disaster relief in fiscal years 2011 and 2012. **Page S5966**

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

By 54 yeas to 35 nays (Vote No. 152), 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 Reid Motion to concur in the amendment of the House of Representatives to the amendment of the Senate to the bill, with Reid Amendment No. 656 (listed above).

**Pages S5975–76**

Reid Amendment No. 659 (to (the instructions) Amendment No. 658), of a perfecting nature, fell when the Reid Motion to refer the message of the House on the bill to the Committee on Appropria-

tions with instructions, Reid Amendment No. 658 (listed above), was withdrawn. **Page S5966**

Reid Amendment No. 660 (to Amendment No. 659), of a perfecting nature, fell when Reid Amendment No. 659 (to (the instructions) Amendment No. 658) (listed above), fell. **Page S5966**

Reid Amendment No. 657 (to Amendment No. 656), to change the enactment date, fell when the Reid Motion to concur in the amendment of the House of Representatives to the amendment of the Senate to the bill, with Reid Amendment No. 656 (listed above), was withdrawn. **Page S5966**

**Treaties Approved:** The following treaties having passed through their various parliamentary stages, up to and including the presentation of the resolution of ratification, upon division, two-thirds of the Senators present having voted in the affirmative, the resolutions of ratification were agreed to:

Investment Treaty with Rwanda (Treaty Doc. 110–23); and

Mutual Legal Assistance Treaty with Bermuda (Treaty Doc. 111–6) as amended. **Page S6004**

**Nominations—Agreement:** A unanimous-consent-time agreement was reached providing that at 4:30 p.m., on Monday, October 3, 2011, Senate proceed to Executive Session and begin consideration of the following nominations: Henry F. Floyd, of South Carolina, to be United States Circuit Judge for the Fourth Circuit, Nannette Jolivet Brown, of Louisiana, to be United States District Judge for the Eastern District of Louisiana, Nancy Torresen, of Maine, to be United States District Judge for the District of Maine, William Francis Kuntz, II, of New York, to be United States District Judge for the Eastern District of New York, Marina Garcia Marmolejo, of Texas, to be United States District Judge for the Southern District of Texas, and Jennifer Guerin Zipps, of Arizona, to be United States District Judge for the District of Arizona; that there be one hour for debate equally divided in the usual form; that upon the use or yielding back of time, the nominations of Nannette Jolivet Brown, of Louisiana, to be United States District Judge for the Eastern District of Louisiana, Nancy Torresen, of Maine, to be United States District Judge for the District of Maine, William Francis Kuntz, II, of New York, to be United States District Judge for the Eastern District of New York, Marina Garcia Marmolejo, of Texas, to be United States District Judge for the Southern District of Texas, and Jennifer Guerin Zipps, of Arizona, to be United States District Judge for the District of Arizona be confirmed, and Senate vote without intervening action or debate on confirmation of the nomination of Henry F. Floyd, of South Carolina, to be United

States Circuit Judge for the Fourth Circuit; provided further, that at a time to be determined by the Majority Leader, after consultation with the Republican Leader, not prior to October 11, 2011, Senate proceed to Executive Session to consider the following nominations: Jane Margaret Triche-Milazzo, of Louisiana, to be United States District Judge for the Eastern District of Louisiana, Alison J. Nathan, of New York, to be United States District Judge for the Southern District of New York, Susan Owens Hickey, of Arkansas, to be United States District Judge for the Western District of Arkansas, and Katherine B. Forrest, of New York, to be United States District Judge for the Southern District of New York; that there be two hours 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 nominations, in the order listed; provided further, that no further motions be in order to any of the nominations. **Page S6003**

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

Maurice B. Foley, of Maryland, to be a Judge of the United States Tax Court for a term of fifteen years.

Juan F. Vasquez, of Texas, to be a Judge of the United States Tax Court for a term of fifteen years.

Thomas M. Countryman, of Washington, to be an Assistant Secretary of State (International Security and Non-Proliferation).

Walter A. Barrows, of Virginia, to be a Member of the Railroad Retirement Board for a term expiring August 28, 2014.

S. Amanda Marshall, of Oregon, to be United States Attorney for the District of Oregon for the term of four years.

Robert C. Granger, of New Jersey, to be a Member of the Board of Directors of the National Board for Education Sciences for a term expiring November 28, 2014.

Anthony Bryk, of California, to be a Member of the Board of Directors of the National Board for Education Sciences for a term expiring November 28, 2015.

Robert J. Zimmer, of Illinois, to be a Member of the National Science Board, National Science Foundation, for a term expiring May 10, 2016.

Edward M. Spooner, of Florida, to be United States Marshal for the Northern District of Florida for the term of four years.

Mark D. Acton, of Kentucky, to be a Commissioner of the Postal Regulatory Commission for a term expiring October 14, 2016. (Prior to this action, Committee on Homeland Security and Govern-

mental Affairs was discharged from further consideration.) **Pages S6004, S6009**

Robert G. Taub, of New York, to be a Commissioner of the Postal Regulatory Commission for a term expiring October 14, 2016. (Prior to this action, Committee on Homeland Security and Governmental Affairs was discharged from further consideration.) **Pages S6004, S6009**

John A. Heffern, of Missouri, to be Ambassador to the Republic of Armenia.

Constance Smith Barker, of Alabama, to be a Member of the Equal Employment Opportunity Commission for a term expiring July 1, 2016.

Charles R. Korsmo, of New York, to be a Member of the Board of Trustees of the Barry Goldwater Scholarship and Excellence in Education Foundation for a term expiring October 13, 2011.

Charles R. Korsmo, of New York, to be a Member of the Board of Trustees of the Barry Goldwater Scholarship and Excellence in Education Foundation for a term expiring October 13, 2017.

John H. Yopp, of Kentucky, to be a Member of the Board of Trustees of the Barry Goldwater Scholarship and Excellence in Education Foundation for a term expiring October 13, 2011.

John H. Yopp, of Kentucky, to be a Member of the Board of Trustees of the Barry Goldwater Scholarship and Excellence in Education Foundation for a term expiring October 13, 2017.

Marcos Edward Galindo, of Idaho, to be a Member of the Board of Trustees of the Barry Goldwater Scholarship and Excellence in Education Foundation for a term expiring April 17, 2014.

Maria E. Rengifo-Ruess, of Virginia, to be a Member of the Board of Trustees of the Barry Goldwater Scholarship and Excellence in Education Foundation for a term expiring February 4, 2014.

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

S. Roy Woodall, Jr., of Kentucky, to be a Member of the Financial Stability Oversight Council for a term of six years.

John Malcolm Bales, of Texas, to be United States Attorney for the Eastern District of Texas for the term of four years.

Kenneth Magidson, of Texas, to be United States Attorney for the Southern District of Texas for the term of four years.

Robert Lee Pitman, of Texas, to be United States Attorney for the Western District of Texas for the term of four years.

Sarah Ruth Saldana, of Texas, to be United States Attorney for the Northern District of Texas for the term of four years.

Joseph H. Gale, of Virginia, to be a Judge of the United States Tax Court for a term of fifteen years.

Matan Aryeh Koch, of New York, to be a Member of the National Council on Disability for a term expiring September 17, 2013.

David B. Barlow, of Utah, to be United States Attorney for the District of Utah for the term of four years. **Page S6009**

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

Gary Blumenthal, of Massachusetts, to be a Member of the National Council on Disability for a term expiring September 17, 2013.

Susan A. Maxman, of Pennsylvania, to be a Member of the Board of Directors of the National Institute of Building Sciences for a term expiring September 7, 2012.

Susan A. Maxman, of Pennsylvania, to be a Member of the Board of Directors of the National Institute of Building Sciences for a term expiring September 7, 2015.

Routine lists in the Army and Navy. **Page S6009**

**Messages from the House:** **Page S5992**

**Measures Referred:** **Page S5992**

**Additional Cosponsors:** **Pages S5992–94**

**Statements on Introduced Bills/Resolutions:**  
**Page S5994**

**Additional Statements:** **Pages S5991–92**

**Amendments Submitted:** **Pages S5994–S6003**

**Record Votes:** Two record votes were taken today. (Total—153) **Pages S5976, S5977**

**Adjournment:** Senate convened at 3:30 p.m. and adjourned at 9:39 p.m., until 1:45 p.m. on Thursday, September 29, 2011. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S6009.)

## *Committee Meetings*

*(Committees not listed did not meet)*

No committee meetings were held.

# House of Representatives

## *Chamber Action*

**Public Bills and Resolutions Introduced:** 2 public bills, H.R. 3067–3068 were introduced.

**Pages H6460–61**

**Additional Cosponsors:**

**Page H6461**

**Reports Filed:** Reports were filed today as follows:

H.R. 901, to amend the Homeland Security Act of 2002 to codify the requirement that the Secretary of Homeland Security maintain chemical facility anti-terrorism security regulations, with an amendment (H. Rept. 112–224, Pt. 1);

H.R. 2250, to provide additional time for the Administrator of the Environmental Protection Agency to issue achievable standards for industrial, commercial, and institutional boilers, process heaters, and incinerators, and for other purposes, with an amendment (H. Rept. 112–225);

H.R. 2273, to amend subtitle D of the Solid Waste Disposal Act to facilitate recovery and beneficial use, and provide for the proper management and disposal, of materials generated by the combustion of coal and other fossil fuels, with an amendment (H. Rept. 112–226); and

H.R. 2681, to provide additional time for the Administrator of the Environmental Protection Agency to issue achievable standards for cement manufacturing facilities, and for other purposes, with an amendment (H. Rept. 112–227). **Page H6460**

**Speaker:** Read a letter from the Speaker wherein he appointed Representative Upton to act as Speaker pro tempore for today. **Page H6459**

**Chaplain:** The prayer was offered by the guest chaplain, Reverend Dr. Alan Keiran, Office of the United States Senate Chaplain. **Page H6459**

**Senate Messages:** Messages received from the Senate by the Clerk and subsequently presented to the House today appear on pages 6459.

**Senate Referrals:** S. Con. Res. 27 was referred to the Committee on Armed Services and S. Con. Res. 29 was referred to the Committee on House Administration. **Page H6459**

**Quorum Calls—Votes:** There were no Yea-and-Nay votes, and there were no Recorded votes. There were no quorum calls.

**Adjournment:** The House met at 12 noon and adjourned at 12:04 p.m.

## *Committee Meetings*

No hearings are scheduled.

## *Joint Meetings*

No joint committee meetings were held.

## NEW PUBLIC LAWS

*(For last listing of Public Laws, see DAILY DIGEST, p. D986)*

S. 846, to designate the United States courthouse located at 80 Lafayette Street in Jefferson City, Missouri, as the Christopher S. Bond United States Courthouse. Signed on September 23, 2011. (Public Law 112–31)

## COMMITTEE MEETINGS FOR TUESDAY, SEPTEMBER 27, 2011

*(Committee meetings are open unless otherwise indicated)*

### Senate

No meetings/hearings scheduled.

### House

No hearings were held.

*Next Meeting of the SENATE*

1:45 p.m., Thursday, September 29

*Next Meeting of the HOUSE OF REPRESENTATIVES*

11 a.m., Thursday, September 29

## Senate Chamber

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

## House Chamber

Program for Thursday: To be announced.

## Extensions of Remarks, as inserted in this issue

## HOUSE

Gonzalez, Charles A., Tex., E1724  
 Hoyer, Steny H., Md., E1723  
 Israel, Steve, N.Y., E1723  
 Lance, Leonard, N.J., E1723  
 Lewis, John, Ga., E1723  
 Miller, George, Calif., E1723



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