

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S6677–S6753

Measures Introduced: Eleven bills and one resolution were introduced, as follows: S. 3697–3707, and S. Res. 606. **Page S6736**

Measures Passed:

Haitian Orphans: Senate passed H.R. 5283, to provide for adjustment of status for certain Haitian orphans paroled into the United States after the Earthquake of January 12, 2010, after agreeing to the following amendment proposed thereto:

Page S6740

Landrieu (for Gillibrand) Amendment No. 4587, in the nature of a substitute. **Page S6740**

General and Special Risk Insurance Funds Availability Act: Committee on Banking, Housing, and Urban Affairs was discharged from further consideration of H.R. 5872, to provide adequate commitment authority for fiscal year 2010 for guaranteed loans that are obligations of the General and Special Risk Insurance Funds of the Department of Housing and Urban Development, and the bill was then passed. **Pages S6740–41**

Single Family Housing Mortgage Insurance: Committee on Banking, Housing, and Urban Affairs was discharged from further consideration of H.R. 5981, to increase the flexibility of the Secretary of Housing and Urban Development with respect to the amount of premiums charged for FHA single family housing mortgage insurance, and the bill was then passed. **Page S6741**

House Messages:

FAA Air Transportation Modernization and Safety Improvement Act—Agreement: Senate resumed consideration of the amendment of the House of Representatives to the amendment of the Senate to H.R. 1586, to modernize the air traffic control system, improve the safety, reliability, and availability of transportation by air in the United States, provide for modernization of the air traffic control system, reauthorize the Federal Aviation Administra-

tion, taking action on the following amendments and motions proposed thereto: **Pages S6678–85**

Pending:

Reid motion to concur in the amendment of the House to the amendment of the Senate to the bill, with Reid Amendment No. 4575 (to the House amendment to the Senate amendment to the bill), in the nature of a substitute. **Page S6678**

Reid Amendment No. 4576 (to Amendment No. 4575), to change the enactment date. **Page S6678**

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

By 61 yeas to 38 nays (Vote No. 224), 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 Reid motion to concur in the amendment of the House to the amendment of the Senate to the bill, with Reid Amendment No. 4575 (to the House amendment to the Senate amendment to the bill), in the nature of a substitute. **Pages S6684–85**

Reid motion to refer the House message on the bill to the Committee on Appropriations, with instructions, Reid Amendment No. 4577 (the instructions on motion to refer), to provide for a study, was rendered out of order with the invocation of cloture on the Reid motion to concur in the amendment of the House to the amendment of the Senate to the bill, with Reid Amendment No. 4575 (listed above). **Page S6678**

Reid Amendment No. 4578 (to the instructions (Amendment No. 4577), of the motion to refer), of a perfecting nature, fell when Reid Amendment No. 4577 (listed above), fell. **Page S6678**

Reid Amendment No. 4579 (to Amendment No. 4578), of a perfecting nature, fell when Reid Amendment No. 4578 (to the instructions (Amendment No. 4577) listed above), fell. **Page S6678**

By 61 yeas to 38 nays (Vote No. 225), three-fifths of those Senators duly chosen and sworn, having voted in the affirmative, Senate agreed to the motion to waive all applicable budget points of order, with respect to the Reid motion to concur in the amendment of the House to the amendment of the Senate to the bill, with Reid Amendment No. 4575 (listed above). Subsequently, the point of order that the

motion to concur in the amendment of the House to the amendment of the Senate to the bill, with Reid Amendment No. 4575 (listed above) was in violation of section 404(a) of S. Con. Res. 13, the Fiscal Year 2010 Concurrent Resolution on the Budget, was not sustained. **Page S6685**

A unanimous-consent-time agreement was reached providing that at 11 a.m., on Thursday, August 5, 2010, Senate continue consideration of the House amendment to the Senate amendment to the H.R. 1586; and that all post-cloture time be considered expired, except for 20 minutes; with 10 minutes each under the control of Senators Baucus and DeMint, or their designees; that during this period, it be in order to consider the DeMint motions to suspend and that they be debated within the parameters of the remaining time; that upon the use or yielding back of time, Senate vote with respect to the DeMint motions to suspend in the order in which offered; that upon disposition of the motions, Reid Amendment No. 4576 (to Amendment No. 4575) (listed above), be withdrawn, no further amendments or motions be in order, except the pending motion to concur with Reid Amendment No. 4575 (listed above), and without further intervening action or debate, Senate vote on the motion to concur in the House amendment to the Senate amendment to the bill, with Reid Amendment No. 4575; that upon disposition of the House message, Senate proceed to Executive session and continue consideration of the nomination of Elena Kagan, of Massachusetts, to be an Associate Justice of the Supreme Court of the United States. **Page S6749**

Appointments:

Board of Trustees of the John C. Stennis Center for Public Service Training and Development: The Chair, on behalf of the Majority Leader, pursuant to Public Law 100-458, Section 114(b)(2)(c), appointed the following individual to the Board of Trustees of the John C. Stennis Center for Public Service Training and Development, for a term expiring 2014: Mike Moore of Mississippi, vice William Cresswell. **Page S6741**

Board of Trustees of the John C. Stennis Center for Public Service Training and Development: The Chair, on behalf of the Majority Leader, pursuant to Public Law 100-458, Section 114(b)(2)(c), re-appointed William F. Winter, of Mississippi, to the Board of Trustees of the John C. Stennis Center for Public Service Training and Development, for a term expiring 2012. **Page S6741**

Kagan Nomination—Agreement: Senate continued consideration of the nomination of Elena Kagan,

of Massachusetts, to be an Associate Justice of the Supreme Court of the United States.

Pages S6685–S6728, S6741–49

A unanimous-consent agreement was reached providing that upon disposition of the amendment of the House of Representatives to the amendment of the Senate to H.R. 1586, Senate will continue consideration of the nomination. **Page S6728**

Nominations Received: Senate received the following nominations:

Jeffrey Thomas Holt, of Tennessee, to be United States Marshal for the Western District of Tennessee for the term of four years.

Steven Clayton Stafford, of California, to be United States Marshal for the Southern District of California for the term of four years.

Paul Charles Thielen, of South Dakota, to be United States Marshal for the District of South Dakota for the term of four years.

1 Air Force nomination in the rank of general.

Routine lists in the Army and Navy.

Pages S6749–53

Measures Placed on the Calendar: **Page S6731**

Executive Communications: **Pages S6731–34**

Petitions and Memorials: **Page S6734**

Executive Reports of Committees: **Pages S6734–36**

Additional Cosponsors: **Pages S6736–38**

Statements on Introduced Bills/Resolutions: **Pages S6738–39**

Additional Statements: **Pages S6729–31**

Amendments Submitted: **Page S6739**

Notices of Intent: **Page S6739**

Authorities for Committees to Meet: **Pages S6739–40**

Record Votes: Two record votes were taken today. (Total—225) **Pages S6684–85**

Adjournment: Senate convened at 9:30 a.m. and adjourned at 8:34 p.m., until 9:30 a.m. on Thursday, August 5, 2010. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S6749.)

Committee Meetings

(Committees not listed did not meet)

PROMOTING AGRICULTURE EXPORTS

Committee on Agriculture, Nutrition, and Forestry: Committee concluded a hearing to examine promoting agriculture exports, focusing on United States agriculture trade policy and the farm bill's trade title, after receiving testimony from Ambassador Ron Kirk, United States Trade Representative; Danny

Murphy, American Soybean Association, Canton, Mississippi; Joe Mencer, Lake Village, Arkansas, on behalf of the USA Rice Federation and the US Rice Producers Association; Duane Rhodes, Tyson Foods, Springdale, Arkansas; and Brent Roggie, National Grape Cooperative Association, Westfield, New York.

BUSINESS MEETING

Committee on Agriculture, Nutrition, and Forestry: Committee ordered favorably reported S. 3656, to amend the Agricultural Marketing Act of 1946 to improve the reporting on sales of livestock and dairy products.

OHIO CLASS BALLISTIC MISSILE SUBMARINES

Committee on Armed Services: Subcommittee on SeaPower, with the Subcommittee on Strategic Forces held a closed briefing on the Navy's plans for the next generation Ohio class ballistic missile submarine, after receiving testimony from James N. Miller, Principal Deputy Under Secretary for Policy, Sean J. Stackley, Assistant Secretary of the Navy for Research, Development and Acquisition, and Vice Admiral John T. Blake, USN, Deputy Chief of Naval Operations for Integration of Capabilities and Resources, all of the Department of Defense.

BUSINESS MEETING

Committee on Armed Services: Committee ordered favorably reported the nominations of Jonathan Woodson, of Massachusetts, to be Assistant Secretary of Defense for Health Affairs, and Neile L. Miller, of Maryland, to be Principal Deputy Administrator, and Anne M. Harrington, of Virginia, to be Deputy Administrator for Defense Nuclear Nonproliferation, both of the National Nuclear Security Administration, both of the Department of Energy, and 4,300 nominations in the Army, Navy, Air Force, and Marine Corps.

USE OF DISPERSANTS IN DEEP WATER HORIZON OIL SPILL

Committee on Environment and Public Works: Committee with the Subcommittee on Oversight concluded a joint oversight hearing to examine the use of oil dispersants in the Deepwater Horizon Oil Spill, after receiving testimony from Paul Anastas, Assistant Administrator for the Office of Research and Development, Environmental Protection Agency; David Westerholm, Director, Office of Response and Restoration, National Ocean Service, National Oceanic and Atmospheric Administration, Department of Commerce; Ronald J. Kendall, Texas Tech University Institute of Environmental and Human Health, Lubbock; David C. Smith, University of Rhode Island Graduate School of Oceanography, Narragansett; Edward B. Overton, Louisiana State

University School of the Coast and Environment, Baton Rouge; and Jacqueline Savitz, Oceana, Washington, DC.

SOCIAL SECURITY DISABILITY FRAUD

Committee on Homeland Security and Governmental Affairs: Permanent Subcommittee on Investigations concluded a hearing to examine social security disability fraud, focusing on case studies in Federal employees and commercial drivers licenses, after receiving testimony from Gregory D. Kutz, Managing Director, Forensic Audits and Special Investigations, Government Accountability Office; and Michael J. Astrue, Commissioner, Social Security Administration.

FOR-PROFIT SCHOOLS

Committee on Health, Education, Labor, and Pensions: Committee concluded a hearing to examine for-profit schools, focusing on the student recruitment experience, and undercover testing to observe marketing practices, after receiving testimony from Gregory D. Kutz, Managing Director, Forensic Audits and Special Investigations, Government Accountability Office; David Hawkins, National Association for College Admission Counseling (NACAC), and Michael S. McComis, Accrediting Commission of Career Schools and Colleges (ACCSC), both of Arlington, Virginia; and Joshua Pruyn, Denver, Colorado.

GOVERNMENT RESPONSE TO A WMD TERRORIST ATTACK

Committee on the Judiciary: Subcommittee on Terrorism and Homeland Security concluded a hearing to examine government preparedness and response to a terrorist attack using weapons of mass destruction, after receiving testimony from Glenn A. Fine, Inspector General, and James A. Baker, Associate Deputy Attorney General, both of the Department of Justice; Steward D. Beckham, Director, Office of National Capital Region Coordination, Federal Emergency Management Agency, Department of Homeland Security; Colonel Randall J. Larsen, USAF (Ret.), Executive Director, Commission on the Prevention of Weapons of Mass Destruction Proliferation and Terrorism; and Michael J. Frankel, Executive Director, Commission to Assess the Threat to the U.S. from Electromagnetic Pulse Attack, McLean, Virginia.

IMPEACHMENT TRIAL OF JUDGE G. THOMAS PORTEOUS, JR.

Impeachment Trial Committee (Porteous): Committee held a hearing to hear arguments on pretrial motions in the Impeachment Trial on the Articles Against Judge G. Thomas Porteous, Jr.

House of Representatives

Chamber Action

The House was not in session today. The House is scheduled to meet at 2 p.m. on Tuesday, September 14, 2010, pursuant to the provisions of H. Con. Res. 308.

Committee Meetings

No committee meetings were held.

Joint Meetings

No joint committee meetings were held.

NEW PUBLIC LAWS

(For last listing of Public Laws, see DAILY DIGEST, p. D895)

H.R. 4861, to designate the facility of the United States Postal Service located at 1343 West Irving Park Road in Chicago, Illinois, as the "Steve Goodman Post Office Building". Signed on August 3, 2010. (Public Law 111-217)

H.R. 5051, to designate the facility of the United States Postal Service located at 23 Genesee Street in Hornell, New York, as the "Zachary Smith Post Office Building". Signed on August 3, 2010. (Public Law 111-218)

H.R. 5099, to designate the facility of the United States Postal Service located at 15 South Main Street in Sharon, Massachusetts, as the "Michael C. Rothberg Post Office". Signed on August 3, 2010. (Public Law 111-219)

S. 1789, to restore fairness to Federal cocaine sentencing. Signed on August 3, 2010. (Public Law 111-220)

COMMITTEE MEETINGS FOR THURSDAY, AUGUST 5, 2010

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Armed Services: To receive a closed briefing on Russian force structure in support of the treaty between the United States of America and the Russian Federation on Measures for the Further Reduction and Limitation of Strategic Offensive Arms, signed in Prague on April 8, 2010, with Protocol (Treaty Doc. 111-05), 9:30 a.m., SVC-217.

Committee on Banking, Housing, and Urban Affairs: Subcommittee on Economic Policy, to hold hearings to examine the Obama Administration Manufacturing Agenda, 10:30 a.m., SD-538.

Committee on Energy and Natural Resources: Business meeting to consider pending calendar business, 9:30 a.m., SD-366.

Committee on Foreign Relations: To hold hearings to examine the nominations of Norman L. Eisen, of the District of Columbia, to be Ambassador to the Czech Republic, Duane E. Woerth, of Nebraska, to be Representative of the United States of America on the Council of the International Civil Aviation Organization, and Alexander A. Arvizu, of Virginia, to be Ambassador to the Republic of Albania, and Joseph A. Mussomeli, of Virginia, to be Ambassador to the Republic of Slovenia, all of the Department of State, 10:30 a.m., SD-419.

Committee on the Judiciary: Business meeting to consider S. 2925, to establish a grant program to benefit victims of sex trafficking, S. 518, to establish the Star-Spangled Banner and War of 1812 Bicentennial Commission, S. 3675, to amend chapter 11 of title 11, United States Code, to address reorganization of small businesses, and the nominations of Mary Helen Murguia, of Arizona, to be United States Circuit Judge for the Ninth Circuit, Edmond E-Min Chang, to be United States District Judge for the Northern District of Illinois, Leslie E. Kobayashi, to be United States District Judge for the District of Hawaii, Denise Jefferson Casper, to be United States District Judge for the District of Massachusetts, Carlton W. Reeves, to be United States District Judge for the Southern District of Mississippi, and Donald Martin O'Keefe, to be United States Marshal for the Northern District of California, Craig Ellis Thayer, to be United States Marshal for the Eastern District of Washington, Joseph Anthony Papili, to be United States Marshal for the District of Delaware, James Alfred Thompson, to be United States Marshal for the District of Utah, Melinda L. Haag, to be United States Attorney for the Northern District of California, Barry R. Grissom, to be United States Attorney for the District of Kansas, David J. Hickton, to be United States Attorney for the Western District of Pennsylvania, and James Thomas Fowler, to be United States Marshal for the Eastern District of Tennessee, all of the Department of Justice, 10 a.m., SD-226.

Committee on Veterans' Affairs: Business meeting to consider S. 3107, to amend title 38, United States Code, to provide for an increase, effective December 1, 2010, in the rates of compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for the survivors of certain disabled veterans, S. 3234, to improve employment, training, and placement services furnished to veterans, especially those serving in Operation Iraqi Freedom and Operation Enduring Freedom, S. 3325, to amend title 38, United States Code, to authorize the waiver of the collection of copayments for telehealth and telemedicine visits of veterans, S. 3447, to amend title 38, United States Code, to improve educational assistance for veterans who served in the Armed Forces after September 11, 2001, S. 3517, to amend title 38, United States Code, to improve the processing of claims for disability compensation filed

with the Department of Veterans Affairs, S. 3609, to extend the temporary authority for performance of medical disability examinations by contract physicians for the Department of Veterans Affairs, and an original bill to amend title 38, United States Code, to improve Servicemembers' Group Life Insurance and Veterans' Group Life Insurance and to modify the provision of com-

pensation and pension to surviving spouses of veterans in the months of the deaths of the veterans, 9:30 a.m., SR-418.

House Committees

No committee meetings are scheduled.

Next Meeting of the SENATE

9:30 a.m., Thursday, August 5

Next Meeting of the HOUSE OF REPRESENTATIVES

2 p.m., Tuesday, September 14

Senate Chamber

Program for Thursday: After the transaction of any morning business (not to extend beyond 11 a.m.), Senate will continue consideration of the amendment of the House to the amendment of the Senate to H.R. 1586, FAA Air Transportation Modernization and Safety Improvement Act, and after a period of debate, vote on or in relation to DeMint motions to suspend the rules, and the motion to concur in the House amendment to the Senate amendment to the bill, with Reid Amendment No. 4575; following which, Senate will continue consideration of the nomination of Elena Kagan, of Massachusetts, to be an Associate Justice of the Supreme Court of the United States.

House Chamber

Program for Tuesday: To be announced.



Congressional Record

The *Congressional Record* (USPS 087-390). The Periodicals postage is paid at Washington, D.C. The public proceedings of each House of Congress, as reported by the Official Reporters thereof, are printed pursuant to directions of the Joint Committee on Printing as authorized by appropriate provisions of Title 44, United States Code, and published for each day that one or both Houses are in session, excepting very infrequent instances when two or more unusually small consecutive issues are printed one time. ¶Public access to the *Congressional Record* is available online through *GPO Access*, a service of the Government Printing Office, free of charge to the user. The online database is updated each day the *Congressional Record* is published. The database includes both text and graphics from the beginning of the 103d Congress, 2d session (January 1994) forward. It is available through *GPO Access* at www.gpo.gov/gpoaccess. Customers can also access this information with WAIS client software, via telnet at swais.access.gpo.gov, or dial-in using communications software and a modem at 202-512-1661. Questions or comments regarding this database or *GPO Access* can be directed to the *GPO Access* User Support Team at: E-Mail: gpoaccess@gpo.gov; Phone 1-888-293-6498 (toll-free), 202-512-1530 (D.C. area); Fax: 202-512-1262. The Team's hours of availability are Monday through Friday, 7:00 a.m. to 5:30 p.m., Eastern Standard Time, except Federal holidays. ¶The *Congressional Record* paper and 24x microfiche edition will be furnished by mail to subscribers, free of postage, at the following prices: paper edition, \$252.00 for six months, \$503.00 per year, or purchased as follows: less than 200 pages, \$10.50; between 200 and 400 pages, \$21.00; greater than 400 pages, \$31.50, payable in advance; microfiche edition, \$146.00 per year, or purchased for \$3.00 per issue payable in advance. The semimonthly *Congressional Record Index* may be purchased for the same per issue prices. To place an order for any of these products, visit the U.S. Government Online Bookstore at: bookstore.gpo.gov. Mail orders to: Superintendent of Documents, P.O. Box 371954, Pittsburgh, PA 15250-7954, or phone orders to 866-512-1800 (toll free), 202-512-1800 (D.C. area), or fax to 202-512-2250. Remit check or money order, made payable to the Superintendent of Documents, or use VISA, MasterCard, Discover, American Express, or GPO Deposit Account. ¶Following each session of Congress, the daily *Congressional Record* is revised, printed, permanently bound and sold by the Superintendent of Documents in individual parts or by sets. ¶With the exception of copyrighted articles, there are no restrictions on the republication of material from the *Congressional Record*.

POSTMASTER: Send address changes to the Superintendent of Documents, *Congressional Record*, U.S. Government Printing Office, Washington, D.C. 20402, along with the entire mailing label from the last issue received.