

Daily Digest

HIGHLIGHTS

Senate passed H.J. Res. 105, Continuing Resolution.

Senate

Chamber Action

Routine Proceedings, pages S10421–S10645

Measures Introduced: Nine bills and one resolution were introduced, as follows: S. 4040–4048, and S. Con. Res. 78. **Page S10514**

Measures Reported:

Report to accompany S. 3804, to combat online infringement. (S. Rept. No. 111–373)

Report to accompany S. 3650, to amend chapter 21 of title 5, United States Code, to provide that fathers of certain permanently disabled or deceased veterans shall be included with mothers of such veterans as preference eligibles for treatment in the civil service. (S. Rept. No. 111–374)

H.R. 2062, to amend the Migratory Bird Treaty Act to provide for penalties and enforcement for intentionally taking protected avian species. (S. Rept. No. 111–375)

S. 1102, to provide benefits to domestic partners of Federal employees, with an amendment in the nature of a substitute. (S. Rept. No. 111–376)

S. 1649, to prevent the proliferation of weapons of mass destruction, to prepare for attacks using weapons of mass destruction, with an amendment in the nature of a substitute. (S. Rept. No. 111–377)

S. 583, to provide grants and loan guarantees for the development and construction of science parks to promote the clustering of innovation through high technology activities, with an amendment in the nature of a substitute.

S. 773, to ensure the continued free flow of commerce within the United States and with its global trading partners through secure cyber communications, to provide for the continued development and exploitation of the Internet and intranet communications for such purposes, to provide for the development of a cadre of information technology specialists to improve and maintain effective cybersecurity defenses against disruption.

S. 1274, to amend title 46, United States Code, to ensure that the prohibition on disclosure of maritime transportation security information is not used inappropriately to shield certain other information from public disclosure, with an amendment in the nature of a substitute.

S. 2764, to reauthorize the Satellite Home Viewer Extension and Reauthorization Act of 2004, with an amendment in the nature of a substitute.

S. 2870, to establish uniform administrative and enforcement procedures and penalties for the enforcement of the High Seas Driftnet Fishing Moratorium Protection Act and similar statutes.

S. 2889, to reauthorize the Surface Transportation Board, with an amendment in the nature of a substitute.

S. 3481, to amend the Federal Water Pollution Control Act to clarify Federal responsibility for stormwater pollution.

S. 3566, to authorize certain maritime programs of the Department of Transportation, with an amendment in the nature of a substitute.

S. 3597, to improve the ability of the National Oceanic and Atmospheric Administration, the Coast Guard, and coastal States to sustain healthy ocean and coastal ecosystems by maintaining and sustaining their capabilities relating to oil spill preparedness, prevention, response, restoration, and research, with an amendment in the nature of a substitute. **Pages S10513–14**

Measures Passed:

Real Estate Jobs and Investment Act: Senate passed H.R. 5901, to amend the Internal Revenue Code of 1986 to authorize the tax court to appoint employees, after agreeing to the following amendments proposed thereto: **Pages S10443–44**

Kerry (for Baucus) Amendment No. 4834, in the nature of a substitute. **Pages S10443–44**

Kerry (for Baucus) Amendment No. 4835, to amend the title. **Page S10444**

National Wildlife Refuge Volunteer Improvement Act: Senate passed H.R. 4973, to amend the Fish and Wildlife Act of 1956 to reauthorize volunteer programs and community partnerships for national wildlife refuges. **Page S10444**

Frank Melville Supportive Housing Investment Act: Senate passed S. 1481, to amend section 811 of the Cranston-Gonzalez National Affordable Housing Act to improve the program under such section for supportive housing for persons with disabilities, after agreeing to the committee amendments, and the following amendment proposed thereto: **Pages S10444–51**

Kerry (for Johanns) Amendment No. 4836, to improve the bill. **Page S10447**

America COMPETES Reauthorization Act: Committee on Commerce, Science, and Transportation was discharged from further consideration of H.R. 5116, to invest in innovation through research and development, to improve the competitiveness of the United States, and the bill was then passed, after agreeing to the following amendment proposed thereto: **Pages S10451–52**

Bingaman (for Rockefeller) Amendment No. 4843, to invest in innovation through research and development, to improve competitiveness of the United States. **Page S10452**

Continuing Resolution: Senate passed H.J. Res. 105, making further continuing appropriations for fiscal year 2011. **Pages S10492–93**

H.R. 5281 and H.R. 2965 House Messages—Agreement: A unanimous-consent-time agreement was reached providing that at 10:30 a.m., on Saturday, December 18, 2010, Senate resume consideration of the House Message with respect to H.R. 5281, and proceed to vote on the motion to invoke cloture on the motion to concur with respect to H.R. 5281; and if cloture is not invoked, there be 2 minutes for debate equally divided and controlled prior to the next vote with respect to the House Message with respect to H.R. 2965. **Page S10645**

Treaty with Russia on Measures for Further Reduction and Limitation of Strategic Offensive Arms—Agreement: Senate continued consideration of Treaty Doc. 111–5, 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, taking action on the following amendment proposed thereto: **Pages S10422–43, S10452–92, S10493–S10504**

Pending:

McCain/Barrasso Amendment No. 4814, to amend the preamble to strike language regarding the inter-

relationship between strategic offensive arms and strategic defensive arms. **Pages S10459–92**

A unanimous-consent agreement was reached providing for further consideration of the treaty at approximately 9 a.m., on Saturday, December 18, 2010. **Page S10645**

Diaz and Hollander Nominations—Agreement: A unanimous-consent agreement was reached providing that on Saturday, December 18, 2010, after the cloture votes with respect to the House Messages regarding H.R. 5281 and H.R. 2965, and notwithstanding Rule 22, if applicable, the Senate resume Executive Session and there be two minutes of debate, equally divided and controlled between Senators Leahy and Sessions, or their designees, prior to a vote on confirmation of the nomination of Albert Diaz, of North Carolina, to be United States Circuit Judge for the Fourth Circuit, and the nomination of Ellen Lipton Hollander, of Maryland, to be United States District Judge for the District of Maryland; that upon the use or yielding back of time, Senate vote on confirmation in the order listed; further, that any time consumed during the votes and debate on the judges, count post-cloture, if applicable; and the Senate then resume legislative session. **Pages S10644–45**

Nominations Confirmed: Senate confirmed the following nominations:

Susan Richard Nelson, of Minnesota, to be United States District Judge for the District of Minnesota.

Denise Jefferson Casper, of Massachusetts, to be United States District Judge for the District of Massachusetts. **Pages S10644–45**

Nominations Received: Senate received the following nominations:

Carolyn N. Lerner, of Maryland, to be Special Counsel, Office of Special Counsel, for the term of five years.

Elisebeth Collins Cook, of Illinois, to be a Member of the Privacy and Civil Liberties Oversight Board for a term expiring January 29, 2014.

James Xavier Dempsey, of California, to be a Member of the Privacy and Civil Liberties Oversight Board for a term expiring January 29, 2016. **Page S10645**

Messages from the House:

Pages S10511–12

Measures Placed on the Calendar:

Pages S10422, S10512

Enrolled Bills Presented:

Page S10512

Executive Communications:

Pages S10512–13

Additional Cosponsors:

Page S10514

Statements on Introduced Bills/Resolutions:

Pages S10514–19

Amendments Submitted: Pages S10519–S10644

Privileges of the Floor: Page S10644

Adjournment: Senate convened at 9:30 a.m. and adjourned at 10:07 p.m., until 9 a.m. on Saturday, December 18, 2010. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S10645.)

Committee Meetings

(Committees not listed did not meet)

No committee meetings were held.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 18 public bills, H.R. 6540–6557; 2 private bills, H.R. 6558–6559; and resolutions, H.J. Res. 105; H. Con. Res. 336; and H. Res. 1775, 1777–1780 were introduced. Pages H8785–86

Additional Cosponsors: Page H8786

Reports Filed: Reports were filed today as follows:

H. Res. 1776, providing for consideration of the joint resolution (H.J. Res. 105) making further continuing appropriations for fiscal year 2011, and for other purposes (H. Rept. 111–689) and

In the Matter of Nicole Gustafson (H. Rept. 111–690). Page H8784

Suspensions: The House agreed to suspend the rules and pass the following measures:

Recognizing Mark Twain as one of America's most famous literary icons: H. Res. 1733, to recognize Mark Twain as one of America's most famous literary icons on the 175th anniversary of his birth and the 100th anniversary of his death;

Pages H8601–03

Recognizing the 100th anniversary of the historic founding of Catholic Charities USA: H. Res. 1621, to recognize the 100th anniversary of the historic founding of Catholic Charities USA;

Pages H8609–11

Commending the Wisconsin Badger football team for an outstanding season and 2011 Rose Bowl bid: H. Res. 1767, to commend the Wisconsin Badger football team for an outstanding season and 2011 Rose Bowl bid; Pages H8611–12, H8769

Honoring the exceptional achievements of Ambassador Richard Holbrooke: H. Con. Res. 335, amended, to honor the exceptional achievements of Ambassador Richard Holbrooke and to recognize the significant contributions he has made to United

States national security, humanitarian causes, and peaceful resolutions of international conflict;

Pages H8612–17

Reduction of Lead in Drinking Water Act: S. 3874, to amend the Safe Drinking Act to reduce lead in drinking water, by a yeas-and-nays vote of 226 yeas to 109 nays, Roll No. 656;

Pages H8617–19, H8768–69

Implementing the recommendations of the Federal Communications Commission report to the Congress regarding low-power FM service: H.R. 6533, to implement the recommendations of the Federal Communications Commission report to the Congress regarding low-power FM service; and

Pages H8619–23

Ike Skelton National Defense Authorization Act for Fiscal Year 2011: H.R. 6523, amended, to authorize appropriations for fiscal year 2011 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy and to prescribe military personnel strengths for such fiscal year, by a yeas-and-nays vote of 341 yeas to 48 nays, Roll No. 650.

Pages H8629–H8759, H8761

Agreed that the Clerk be directed to make conforming amendments to the table of contents of H.R. 6523.

Page H8769

Suspension—Proceedings Resumed: The House agreed to suspend the rules and agree to the following measure which was debated on Wednesday, December 15th:

Honoring the accomplishments of Norman Yoshio Mineta: H. Res. 1377, to honor the accomplishments of Norman Yoshio Mineta, by a yeas-and-nays vote of 384 yeas with none voting "nay", Roll No. 648.

Pages H8759–60

Suspensions—Proceedings Resumed: The House agreed to suspend the rules and pass the following measures which were debated on Thursday, December 16th:

Enacting certain laws relating to public contracts as title 41, United States Code, "Public Contracts": Concur in the Senate amendments to H.R. 1107, to enact certain laws relating to public contracts as title 41, United States Code, "Public Contracts", by a $\frac{2}{3}$ recorded vote of 385 yeas with none voting "nay", Roll No. 649 and **Pages H8760–61**

Establishing a pilot program in certain United States district courts to encourage enhancement of expertise in patent cases among district judges: Concur in the Senate amendment to H.R. 628, to establish a pilot program in certain United States district courts to encourage enhancement of expertise in patent cases among district judges, by a $\frac{2}{3}$ recorded vote of 371 yeas to 1 nay, Roll No. 651.

Pages H8762–63

Suspension—Proceedings Postponed: The House debated the following measure under suspension of the rules. Further proceedings were postponed:

First Lieutenant Robert Wilson Collins Post Office Building Designation Act: S. 3592, to designate the facility of the United States Postal Service located at 100 Commerce Drive in Tyrone, Georgia, as the "First Lieutenant Robert Wilson Collins Post Office Building".

Pages H8600–01

Indian Law and Order Commission—Appointment: The Chair announced the Speaker's appointment of the following members to the Indian Law and Order Commission: Ms. Stephanie Herseth Sandlin of Brookings, SD and Mr. Earl Pomeroy of Bismarck, ND.

Page H8763

Recess: The House recessed at 1:50 p.m. and reconvened at 3:17 p.m.

Page H8763

Adjournment Resolution: The House agreed to H. Con. Res. 336, providing for the sine die adjournment of the second session of the One Hundred Eleventh Congress, by a yeas-and-nay vote of 196 yeas to 153 nays, Roll No. 652.

Page H8765

Making further continuing appropriations for fiscal year 2011: The House passed H.J. Res. 105, to make further continuing appropriations for fiscal year 2011, by voice vote.

Pages H8763–66, H8767–68

H. Res. 1776, the rule providing for consideration of the joint resolution, was agreed to by a yeas-and-nay vote of 184 yeas to 159 nays, Roll No. 653, after the previous question was ordered without objection.

Pages H8765–66

Suspensions—Failed: The House failed to agree to suspend the rules and pass the following measures:

Government Efficiency, Effectiveness, and Performance Improvement Act of 2010: Concur in Senate amendment to H.R. 2142, to require the review of Government programs at least once every 5 years

for purposes of assessing their performance and improving their operations, and to establish the Performance Improvement Council, by a $\frac{2}{3}$ yeas-and-nay vote of 212 yeas to 131 nays, Roll No. 654 and

Pages H8603–09, H8766–67

Aiding Those Facing Foreclosure Act of 2010: H.R. 5510, amended, to amend the Emergency Economic Stabilization Act of 2008 to allow amounts under the Troubled Assets Relief Program to be used to provide legal assistance to homeowners to avoid foreclosure, by a $\frac{2}{3}$ yeas-and-nay vote of 210 yeas to 145 nays, Roll No. 655.

Pages H8623–29, H8768

Meeting Hour: Agreed that when the House adjourns today, it adjourn to meet at 10 a.m. on Tuesday, December 21st.

Page H8783

Senate Messages: Messages received from the Senate today and a message received from the Senate by the Clerk and subsequently presented to the House today appear on pages H8599–H8600, H8767 and H8770.

Senate Referrals: S. 4036 was referred to the Committee on Financial Services; S. 3874, S. 3592, and S. 1481 were held at the desk.

Pages H8600, H8767, H8782–83

Quorum Calls—Votes: Seven yeas-and-nay votes and two recorded votes developed during the proceedings of today and appear on pages H8759–60, H8760–61, H8761, H8762, H8765, H8765–66, H8766–67, H8768 and H8769. There were no quorum calls.

Adjournment: The House met at 9 a.m. and adjourned at 7:01 p.m.

Committee Meetings

CONTINUING APPROPRIATIONS FY 2011

Committee on Rules: Granted, by voice vote, a closed rule providing for consideration of H.J. Res. 105, Making further continuing appropriations for fiscal year 2011, and for other purposes. The rule provides 1 hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Appropriations. The rule waives all points of order against consideration of the joint resolution except those arising under clause 10 of rule XXI. The rule provides that the joint resolution shall be considered as read. The rule waives all points of order against the joint resolution. Finally, the rule provides one motion to recommit with or without instructions.

Joint Meetings

No joint committee meetings were held.

NEW PUBLIC LAWS

(For last listing of Public Laws, see DAILY DIGEST, p. D1207)

H.R. 4994, to extend certain expiring provisions of the Medicare and Medicaid programs. Signed on December 15, 2010. (Public Law 111–309)

H.R. 6118, to designate the facility of the United States Postal Service located at 2 Massachusetts Avenue, NE, in Washington, D.C., as the “Dorothy I. Height Post Office”. (Public Law 111–310)

S. 2847, to regulate the volume of audio on commercials. (Public Law 111–311)

**COMMITTEE MEETINGS FOR SATURDAY,
DECEMBER 18, 2010**

(Committee meetings are open unless otherwise indicated)

Senate

No meetings/hearings are scheduled.

House

No committee meetings are scheduled.

Next Meeting of the SENATE

9 a.m., Saturday, December 18

Next Meeting of the HOUSE OF REPRESENTATIVES

10 a.m., Tuesday, December 21

Senate Chamber

Program for Saturday: Senate will resume Executive session to continue consideration of the New START Treaty, and following any Leader remarks in Executive session, Senate will turn to Legislative session and will be in a period of morning business. At 10:30 a.m., Senate will resume consideration of the motion to concur in the amendment of the House to the amendment of the Senate No. 3 to H.R. 5281, Removal Clarification Act, and vote on the motion to invoke cloture thereon; if cloture is not invoked, Senate will vote on the motion to invoke cloture on the motion to concur in the House amendment to the Senate amendment to H.R. 2965, SBIR/STTR Reauthorization Act; following which, Senate will vote on confirmation of the nomination of Albert Diaz, of North Carolina, to be United States Circuit Judge for the Fourth Circuit, and the nomination of Ellen Lipton Hollander, of Maryland, to be United States District Judge for the District of Maryland.

House Chamber

Program for Tuesday: To be announced.



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