Daily Digest

HIGHLIGHTS

Senate agreed to the motion to concur in the amendment of the House of Representatives to S. 365, Budget Control Act.

Senate

Chamber Action

Routine Proceedings, pages S5201–S5295

Measures Introduced: Forty-three bills and nine resolutions were introduced, as follows: S. 1467–1509, S.J. Res. 24, S. Res. 250–256, and S. Con. Res. 28. **Pages S5250–51**

Measures Reported:

Report to accompany S. 623, to amend chapter 111 of title 28, United States Code, relating to protective orders, sealing of cases, disclosures of discovery information in civil actions. (S. Rept. No. 112–45)

S. 538, to amend the Neotropical Migratory Bird Conservation Act to reauthorize the Act, with an amendment. (S. Rept. No. 112–46) **Page S5248**

Measures Passed:

Correcting Enrollment: Senate agreed to H. Con. Res. 70, correcting the enrollment of S. 365. **Page S5223**

Hazardous Waste Electronic Manifest Establishment Act: Senate passed S. 710, to amend the Solid Waste Disposal Act to direct the Administrator of the Environmental Protection Agency to establish a hazardous waste electronic manifest system. **Pages S5281–83**

Conveyance of Real Property: Senate passed S. 1302, to authorize the Administrator of General Services to convey a parcel of real property in Tracy, California, to the City of Tracy. **Page S5283**

Campus Fire Safety Month: Committee on the Judiciary was discharged from further consideration of S. Res. 104, designating September 2011 as "Campus Fire Safety Month", and the resolution was then agreed to. **Pages S5283–84**

National Airborne Day: Senate agreed to S. Res. 254, designating August 16, 2011, as "National Airborne Day". **Page S5284**

National Chess Day: Senate agreed to S. Res. 255, designating October 8, 2011, as "National Chess Day" to enhance awareness and encourage students and adults to engage in a game known to enhance critical thinking and problem-solving skills. **Page S5284–85**

Measures Considered:

Leahy-Smith America Invents Act—Agreement: Senate began consideration of the motion to proceed to consideration of H.R. 1249, to amend title 35, United States Code, to provide for patent reform. **Page S5281**

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 Tuesday, August 2, 2011, a vote on cloture will occur following the disposition of the nomination of Bernice Bouie Donald, of Tennessee, to be United States Circuit Judge for the Sixth Circuit, on Tuesday, September 6, 2011. **Page S5281**

A unanimous-consent agreement was reached providing that Senate resume consideration of the motion to proceed to consideration of the bill, on Tuesday, September 6, 2011, following the disposition of the nomination of Bernice Bouie Donald, of Tennessee, to be United States Circuit Judge for the Sixth Circuit, and the resumption of Legislative Session, and Senate vote on the motion to invoke cloture on the motion to proceed to consideration of the bill. **Page S5281**

House Messages:

Budget Control Act: By 74 yeas to 26 nays (Vote No. 123), Senate agreed to the motion to concur in the amendment of the House of Representatives to S. 365, to make a technical amendment to the Education Sciences Reform Act of 2002, by the order of

the Senate of Monday, August 1, 2011, 60 Senators having voted in the affirmative. **Pages S5201–23**

Authority for Committees—Agreement: A unanimous-consent agreement was reached providing that, notwithstanding the Senate's recess, committees be authorized to report legislative and executive matters on Tuesday, August 30, 2011, from 10 a.m. until 12 noon. **Page S5292**

Authorizing Leadership to Make Appointments—Agreement: A unanimous-consent agreement was reached providing that, notwithstanding the upcoming recess or adjournment of the Senate, the President of the Senate, the President Pro Tempore, and the Majority and Minority Leaders be authorized to make appointments to commissions, committees, boards, conferences, or interparliamentary conferences authorized by law, by concurrent action of the two Houses, or by order of the Senate. **Page S5292**

Signing Authority—Agreement: A unanimous-consent agreement was reached providing that from Tuesday, August 2, through Tuesday, September 6, 2011, the Majority Leader and Senator Rockefeller be authorized to sign duly enrolled bills or joint resolutions. **Page S5292**

Pro Forma—Agreement: A unanimous-consent agreement was reached providing that when the Senate completes its business on Tuesday, August 2, 2011, it recess and convene for pro forma sessions only with no business conducted on the following dates and times, and that following each pro forma session, Senate recess until the following pro forma session: Friday, August 5th at 10 a.m., Tuesday, August 9th at 11 a.m., Friday, August 12th at 12 p.m., Tuesday, August 16th at 11 a.m., Friday, August 19th at 10 a.m., Tuesday, August 23rd at 2:30 p.m., Friday, August 26th at 11:15 a.m., Tuesday, August 30th at 10 a.m., and Friday, September 2nd at 10 a.m. **Page S5292**

Message from the President: Senate received the following message from the President of the United States:

Transmitting, pursuant to law, certification that the debt subject to limit is within $100,000,000,000 of the limit in 31 U.S.C. 3101(b) and that further borrowing is required to meet existing commitments; which was referred to the Committee on Finance. (PM–17) **Page S5247**

Donald Nomination—Agreement: A unanimous-consent-time agreement was reached providing that at 5 p.m., on Tuesday, September 6, 2011, Senate begin consideration of the nomination of Bernice Bouie Donald, of Tennessee, to be United States Circuit Judge for the Sixth Circuit; 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. **Page S5281**

Nominations Confirmed: Senate confirmed the following nominations:

Sara Lynn Darrow, of Illinois, to be United States District Judge for the Central District of Illinois.

Richard Brooke Jackson, of Colorado, to be United States District Judge for the District of Colorado.

Kathleen M. Williams, of Florida, to be United States District Judge for the Southern District of Florida.

David Bruce Shear, of New York, to be Ambassador to the Socialist Republic of Vietnam.

Aaron Paul Dworkin, of Michigan, to be a Member of the National Council on the Arts for a term expiring September 3, 2014.

Nelva Gonzales Ramos, of Texas, to be United States District Judge for the Southern District of Texas.

Jennifer A. Di Toro, of the District of Columbia, to be an Associate Judge of the Superior Court of the District of Columbia for the term of fifteen years.

Yvonne M. Williams, of the District of Columbia, to be an Associate Judge of the Superior Court of the District of Columbia for the term of fifteen years.

Clayton D. Johnson, of Oklahoma, to be United States Marshal for the Northern District of Oklahoma for the term of four years.

David V. Brewer, of Oregon, to be a Member of the Board of Directors of the State Justice Institute for a term expiring September 17, 2013.

Eric S. Edelman, of Virginia, to be a Member of the Board of Directors of the United States Institute of Peace for a term of four years.

Madelyn R. Creedon, of Indiana, to be an Assistant Secretary of Defense.

Paul D. Wohlers, of Washington, to be Ambassador to the Republic of Macedonia.

Dan Arvizu, of Colorado, to be a Member of the National Science Board, National Science Foundation, for a term expiring May 10, 2016.

Alan I. Leshner, of Maryland, to be a Member of the National Science Board, National Science Foundation, for a term expiring May 10, 2016.

Alan F. Estevez, of the District of Columbia, to be an Assistant Secretary of Defense.

William Carl Lineberger, of Colorado, to be a Member of the National Science Board, National Science Foundation, for a term expiring May 10, 2016.

Barbara Jeanne Ells, of Colorado, to be a Member of the Board of Trustees of the Institute of American Indian and Alaska Native Culture and Arts Development for a term expiring October 18, 2016.

Deborah Downing Goodman, of Oklahoma, to be a Member of the Board of Trustees of the Institute of American Indian and Alaska Native Culture and Arts Development for a term expiring October 18, 2014.

Cynthia Chavez Lamar, of New Mexico, to be a Member of the Board of Trustees of the Institute of American Indian and Alaska Native Culture and Arts Development for a term expiring May 19, 2016.

Derek J. Mitchell, of Connecticut, to be Special Representative and Policy Coordinator for Burma, with the rank of Ambassador.

Jeffrey DeLaurentis, of New York, to be Alternate Representatives of the United States of America for Special Political Affairs in the United Nations, with the rank of Ambassador.

Jeffrey DeLaurentis, of New York, to be an Alternate Representative of the United States of America to the Sessions of the General Assembly of the United Nations, during his tenure of service as Alternate Representative of the United States of America for Special Political Affairs in the United Nations.

William H. Moser, of North Carolina, to be Ambassador to the Republic of Moldova.

Frankie Annette Reed, of Maryland, to be Ambassador to the Republic of the Fiji Islands, and to serve concurrently and without additional compensation as Ambassador to the Republic of Nauru, the Kingdom of Tonga, Tuvalu, and the Republic of Kiribati.

David S. Adams, of the District of Columbia, to be an Assistant Secretary of State (Legislative Affairs).

Arnold A. Chacon, of Virginia, to be Ambassador to the Republic of Guatemala.

Earl Anthony Wayne, of Maryland, to be Ambassador to Mexico.

Deborah A. P. Hersman, of Virginia, to be Chairman of the National Transportation Safety Board for a term of two years. (Prior to this action, Committee on Commerce, Science, and Transportation was discharged from further consideration.)

Matthew G. Olsen, of Maryland, to be Director of the National Counterterrorism Center, Office of the Director of National Intelligence.

32 Air Force nominations in the rank of general.

62 Army nominations in the rank of general.

8 Navy nominations in the rank of admiral.

Routine lists in the Air Force, Army, Foreign Service, Marine Corps, and Navy.

Pages S5285–92, S5293–95

Nominations Received: Senate received the following nominations:

Adalberto Jose Jordan, of Florida, to be United States Circuit Judge for the Eleventh Circuit.

Miranda Du, of Nevada, to be United States District Judge for the District of Nevada.

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

Catharine Friend Easterly, of the District of Columbia, to be an Associate Judge of the District of Columbia Court of Appeals for the term of fifteen years.

Nancy Maria Ware, of the District of Columbia, to be Director of the Court Services and Offender Supervision Agency for the District of Columbia for a term of six years.

Ernest Mitchell, Jr., of California, to be Administrator of the United States Fire Administration, Federal Emergency Management Agency, Department of Homeland Security.

Irvin Charles McCullough III, of Maryland, to be Inspector General of the Intelligence Community, Office of the Director of National Intelligence.

Ashton B. Carter, of Massachusetts, to be Deputy Secretary of Defense.

Gregory Howard Woods, of New York, to be General Counsel of the Department of Energy.

5 Air Force nominations in the rank of general.

Routine lists in the Army, and Navy. **Page S5293**

Nomination Withdrawn: Senate received notification of withdrawal of the following nomination:

Leon Rodriguez, of Maryland, to be Administrator of the Wage and Hour Division, Department of Labor, which was sent to the Senate on January 5, 2011. **Page S5295**

Messages from the House: **Page S5247**

Measures Referred: **Page S5247**

Enrolled Bills Presented: **Page S5247**

Executive Communications: **Pages S5247–48**

Executive Reports of Committees: **Pages S5248–50**

Additional Cosponsors: **Pages S5251–54**

Statements on Introduced Bills/Resolutions: **Pages S5254–70**

Additional Statements: **Pages S5243–47**

Authorities for Committees to Meet: **Page S5270**

Privileges of the Floor: **Page S5270**

Record Votes: One record vote was taken today. (Total—123) **Page S5221**

Recess: Senate convened at 9:30 a.m. and recessed at 6:43 p.m., until 10 a.m. on Friday, August 5, 2011. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S5292.)

Committee Meetings

(Committees not listed did not meet)

BUSINESS MEETING

Committee on Agriculture, Nutrition, and Forestry: Committee ordered favorably reported the nominations of Mark P. Wetjen, of Nevada, to be a Commissioner of the Commodity Futures Trading Commission, and Brian T. Baenig, of the District of Columbia, to be an Assistant Secretary of Agriculture.

BUSINESS MEETING

Committee on Armed Services: Committee ordered favorably reported the nominations of Madelyn R. Creedon, of Indiana, to be Assistant Secretary for Global Strategic Affairs, and Alan F. Estevez, of the District of Columbia, to be Assistant Secretary for Logistics and Materiel Readiness, both of the Department of Defense, and 2,698 nominations in the Army, Navy, Air Force, and Marine Corps.

HOUSING FINANCE REFORM

Committee on Banking, Housing, and Urban Affairs: Committee concluded a hearing to examine housing finance reform, focusing on national mortgage servicing standards, after receiving testimony from Jack Hopkins, CorTrust Bank, Sioux Falls, South Dakota, on behalf of the Independent Community Bankers of America; Faith Schwartz, HOPE NOW Alliance, Washington, D.C.; Robert M. Couch, Bradley Arant Boult Cummings, Birmingham, Alabama; and Peter P. Swire, The Ohio State University Moritz College of Law, Columbus.

ENHANCING REACTOR SAFETY IN THE 21ST CENTURY

Committee on Environment and Public Works: Committee concluded a joint hearing with the Subcommittee on Clean Air and Nuclear Safety to examine a review of the Nuclear Regulatory Commission's (NRC) near-term task force recommendations for enhancing reactor safety in the 21st century, after receiving testimony from Gregory B. Jaczko, Chairman, and Kristine L. Svinicki, George Apostolakis, William D. Magwood, IV, and William C. Ostendorff, each a Commissioner, all of the Nuclear Regulatory Commission.

NOMINATIONS

Committee on Foreign Relations: Committee concluded a hearing to examine the nominations of Francis Joseph Ricciardone, Jr., of Massachusetts, to be Ambassador to the Republic of Turkey, Norman L. Eisen, of the District of Columbia, to be Ambassador to the Czech Republic, who was introduced by Senator Lieberman, and Robert Stephen Ford, of Vermont, to be Ambassador to the Syrian Arab Republic, all of the Department of State, after the nominees testified and answered questions in their own behalf.

HEALTH REFORM AND HEALTH INSURANCE PREMIUMS

Committee on Health, Education, Labor, and Pensions: Committee concluded a hearing to examine health reform and health insurance premiums, focusing on empowering states to serve consumers, after receiving testimony from Senator Feinstein; Steve Larsen, Deputy Administrator and Director, Center for Consumer Information and Insurance Oversight, Centers for Medicare and Medicaid Services, Department of Health and Human Services; John E. Dicken, Director, Health Care, Government Accountability Office; Teresa Miller, Oregon Insurance Division, Salem; and Dan Withrow, CSS Distribution Group, Inc., Louisville, Kentucky, on behalf of the U.S. Chamber of Commerce.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 3 public bills, H.R. 2790–2792 were introduced.

Pages H5891–92

Additional Cosponsors: Page H5892

Reports Filed: There were no reports filed today.

Speaker: Read a letter from the Speaker wherein he appointed Representative Wolf to act as Speaker pro tempore for today. Page H5891

Senate Message: Message received from the Senate by the Clerk and subsequently presented to the House today appears on page H5891.

Senate Referrals: S. 1466 was held at the desk.

Page H5891

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 10 a.m. and adjourned at 10:03 a.m.

Committee Meetings

HYDROCEPHALUS TREATMENT IN UGANDA

Committee on Foreign Affairs: Subcommittee on Africa, Global Health, and Human Rights held a hearing on Hydrocephalus Treatment in Uganda: Leading the Way to Help Children. Testimony was heard from public witnesses.

Joint Meetings

RUSSIAN AND U.S. FIGHT AGAINST ALCOHOLISM

Commission on Security and Cooperation in Europe: Commission received a briefing on Russian-United States cooperation in the fight against alcoholism, focusing on prospects for sharing experience, strength, and hope on treating alcoholism from Margaret Murray, Director, International Research Program, National Institute on Alcohol Abuse and Alcoholism, National Institutes of Health; and Eugene Zubkov, House of Hope on a Hill, and Heidi Brown, Kroll Associates, both of New York, New York.

COMMITTEE MEETINGS FOR WEDNESDAY, AUGUST 3, 2011

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Banking, Housing, and Urban Affairs: Subcommittee on Securities, Insurance and Investment, to hold hearings to examine the housing finance system, focusing on the to-be-announced market, 9:30 a.m., SD–538.

Subcommittee on Financial Institutions and Consumer Protection, to hold hearings to examine debt financing in the domestic financial sector, 2 p.m., SD–538.

Committee on Energy and Natural Resources: Subcommittee on Public Lands and Forests, to hold hearings to examine S. 1024, to designate the Organ Mountains and other public land as components of the National Wilderness Preservation System and the National Landscape Conservation System in the State of New Mexico, S. 1090, to designate as wilderness certain public land in the Cherokee National Forest in the State of Tennessee, S. 1144, to amend the Soda Ash Royalty Reduction Act of 2006 to extend the reduced royalty rate for soda ash, S. 1149, to expand geothermal production, and S. 1344, to direct the Secretary of Agriculture to take immediate action to recover ecologically and economically from a catastrophic wildfire in the State of Arizona, 2:30 p.m., SD–366.

Committee on Foreign Relations: Subcommittee on African Affairs, to hold hearings to examine responding to drought and famine in the Horn of Africa, 10 a.m., SD–419.

House

No hearings are scheduled.

* * * All previously scheduled hearings have been postponed.

Next Meeting of the SENATE

10 a.m., Friday, August 5

Senate Chamber

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

Next Meeting of the HOUSE OF REPRESENTATIVES

10 a.m., Friday, August 5

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

HOUSE

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