Friday, December 28, 2012

Daily Digest

HIGHLIGHTS

Senate passed H.R. 5949, FISA Amendments Act Reauthorization Act.

Senate passed H.R. 1, Full-Year Continuing Appropriations Act, as amended.

Senate

Chamber Action

Routine Proceedings, pages S8455–S8519

Measures Introduced: Two bills were introduced, as follows: S. 3712–3713. **Page S8507**

Measures Passed:

FISA Amendments Act Reauthorization Act: By 73 yeas to 23 nays (Vote No. 236), Senate passed H.R. 5949, to extend the FISA Amendments Act of 2008 for five years, by the order of the Senate of Friday, December 21, 2012, 60 Senators having voted in the affirmative, and after taking action on the following amendment proposed thereto: **Pages S8455–62**

Rejected:

By 43 yeas to 52 nays (Vote No. 235), Wyden Amendment No. 3439, to require a report on the impact of the FISA Amendments Act of 2008 on the privacy of the people of the United States. (Pursuant to the order of Friday, December 21, 2012, the amendment having failed to achieve 60 affirmative votes, was not agreed to.) **Pages S8455–60**

Full-Year Continuing Appropriations Act: By 62 yeas to 32 nays (Vote No. 248), Senate passed H.R. 1, making appropriations for disaster relief for the fiscal year ending September 30, 2013, after taking action on the following amendments and motions proposed thereto: **Pages S8462–67, S8467–97**

Adopted:

Cardin/Landrieu Amendment No. 3393 (to Amendment No. 3395), of a perfecting nature. **Page S8462**

Mikulski (for Grassley) Amendment No. 3348 (to Amendment No. 3395), to shift vehicles used for non-operational purposes by the Department of Justice and Department of Homeland Security in the District of Columbia to replace vehicles of those agencies damaged by Hurricane Sandy. **Page S8462**

Mikulski (for Feinstein) Modified Amendment No. 3421 (to Amendment No. 3395), of a perfecting nature. **Page S8462**

Mikulski (for Harkin) Amendment No. 3426 (to Amendment No. 3395), of a perfecting nature. **Page S8462**

Landrieu Amendment No. 3415 (to Amendment No. 3395), to clarify the provision relating to emergency protective measures. **Page S8462**

Mikulski (for Leahy) Amendment No. 3403 (to Amendment No. 3395), to provide authority to transfer previously appropriated funds to increase security at United States embassies and other overseas posts. **Page S8462**

Coburn Amendment No. 3369 (to Amendment No. 3395), to reduce the amount that triggers the requirement to notify Congress of the recipients of certain grants and to require publication of the notice. **Page S8462**

Division I of Coburn/McCain Modified Amendment No. 3370 (to Amendment No. 3395), to ensure funding for victims of Hurricane Sandy is not spent on tax cheats, deceased individuals, or fisheries outside of the affected area. **Page S8462**

Reid Amendment No. 3395, in the nature of a substitute. **Pages S8462, S8483**

Reid (for Mikulski) Amendment No. 3440, to amend the title. **Page S8496**

Rejected:

By 52 yeas to 43 nays (Vote No. 237), Bingaman Amendment No. 3344 (to Amendment No. 3395), to provide for the approval of an agreement between the United States and the Republic of Palau in response to Super Typhoon Bopha. (Pursuant to the order of Friday, December 21, 2012, the amendment having failed to achieve 60 affirmative votes, was not agreed to.) **Page S8463**

By 44 yeas to 51 nays (Vote No. 239), Coburn/McCain Amendment No. 3368 (to Amendment No.

3395), to clarify cost-sharing requirements for certain Corps of Engineers activities. (Pursuant to the order of Friday, December 21, 2012, the amendment having failed to achieve 60 affirmative votes, was not agreed to.) **Pages S8462, S8464–65**

By 35 yeas to 60 nays (Vote No. 240), Division II of Coburn/McCain Modified Amendment No. 3370 (to Amendment No. 3395), to ensure funding for victims of Hurricane Sandy is not spent on tax cheats, deceased individuals, or fisheries outside of the affected area. (Pursuant to the order of Friday, December 21, 2012, the amendment having failed to achieve 60 affirmative votes, was not agreed to.) **Pages S8462, S8465–67**

By 40 yeas to 55 nays (Vote No. 241), Coburn/McCain Amendment No. 3371 (to Amendment No. 3395), to ensure that Federal disaster assistance is available for the most severe disasters. (Pursuant to the order of Friday, December 21, 2012, the amendment having failed to achieve 60 affirmative votes, was not agreed to.) **Pages S8462, S8466–67**

By 48 yeas to 47 nays (Vote No. 242), Coburn Amendment No. 3382 (to Amendment No. 3395), to require merit-based and competitive awards of disaster recovery contracts. (Pursuant to the order of Friday, December 21, 2012, the amendment having failed to achieve 60 affirmative votes, was not agreed to.) **Pages S8462, S8467–68**

By 42 yeas to 52 nays (Vote No. 243), Paul Amendment No. 3376 (to Amendment No. 3395), to provide for the nonapplication of the Davis-Bacon Act in the case of projects funded under this Act. (Pursuant to the order of Friday, December 21, 2012, the amendment having failed to achieve 60 affirmative votes, was not agreed to.) **Pages S8469–72, S8480–81**

By 3 yeas to 91 nays (Vote No. 244), Paul Amendment No. 3410 (to Amendment No. 3395), to offset the cost of the bill and to put the spending on budget as regular spending and not emergency. (Pursuant to the order of Friday, December 21, 2012, the amendment having failed to achieve 60 affirmative votes, was not agreed to.) **Pages S8469–72, S8480, S8481**

By 46 yeas to 49 nays (Vote No. 245), McCain/Coburn Amendment No. 3355 (to Amendment No. 3395), to strike funding for the emergency forest restoration program. (Pursuant to the order of Friday, December 21, 2012, the amendment having failed to achieve 60 affirmative votes, was not agreed to.) **Pages S8476–80, S8481–82**

By 41 yeas to 54 nays (Vote No. 247), Coats/Alexander Amendment No. 3391 (to Amendment No. 3395), in the nature of a substitute. (Pursuant to the order of Friday, December 21, 2012, the amendment having failed to achieve 60 affirmative votes, was not agreed to.) **Pages S8462, S8483**

Withdrawn:

Tester Amendment No. 3350 (to Amendment No. 3395), to provide additional funds for wildland fire management. **Page S8462**

Coburn Amendment No. 3383 (to Amendment No. 3395), to strike a provision relating to certain studies of the Corps of Engineers. **Pages S8462, S8468**

Lee Modified Amendment No. 3373 (to Amendment No. 3395), to amend the Internal Revenue Code of 1986 to provide special rules for the use of retirement funds in connection with federally declared disasters, to provide for certain regulatory relief in connection with federally declared disasters. **Pages S8472–74**

Merkley Further Modified Amendment No. 3367 (to Amendment No. 3395), to extend certain supplemental agricultural disaster assistance programs. **Pages S8462, S8482**

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

By 51 yeas to 44 nays (Vote No. 238), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive pursuant to section 904 of the Congressional Budget Act of 1974, with respect to Tester Amendment No. 3350 (to Amendment No. 3395) (listed above). Subsequently, the point of order that the amendment was in violation of section 314(e)(1) of the Congressional Budget Act of 1974, was sustained, the emergency designation within the amendment was stricken, and the amendment was withdrawn. **Page S8464**

By 55 yeas to 40 nays (Vote No. 246), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive pursuant to section 904 of the Congressional Budget Act of 1974, with respect to Merkley Further Modified Amendment No. 3367 (to Amendment No. 3395) (listed above). Subsequently, the point of order that the amendment was in violation of section 314(e)(1) of the Congressional Budget Act of 1974, was sustained, the emergency designations within the amendment were stricken, and the amendment was withdrawn. **Page S8482**

Subsequently, the motion to invoke cloture on the bill was withdrawn. **Page S8483**

Intelligence Authorization Act for Fiscal Year 2013: Senate passed S. 3454, to authorize appropriations for fiscal year 2013 for intelligence and intelligence-related activities of the United States Government and the Office of the Director of National

Intelligence, the Central Intelligence Agency Retirement and Disability System, after agreeing to the following amendment proposed thereto:

Pages S8513–15, S8516

Reid (for Feinstein/Chambliss) Amendment No. 3441, in the nature of a substitute. **Page S8516**

North Korean Refugee Adoption Act: Committee on Foreign Relations was discharged from further consideration of H.R. 1464, to express the sense of Congress regarding North Korean children and children of one North Korean parent and to require the Department of State regularly to brief appropriate congressional committees on efforts to advocate for and develop a strategy to provide assistance in the best interest of these children, and the bill was then passed, after agreeing to the following amendments proposed thereto: **Page S8516**

Reid (for Burr) Amendment No. 3442, in the nature of a substitute. **Page S8516**

Reid (for Burr) Amendment No. 3443, to amend the title. **Page S8516**

Katie Sepich Enhanced DNA Collection Act: Senate passed H.R. 6014, to authorize the Attorney General to award grants for States to implement DNA arrestee collection processes. **Page S8516**

Former Presidents Protection Act: Committee on the Judiciary was discharged from further consideration of H.R. 6620, to amend title 18, United States Code, to eliminate certain limitations on the length of Secret Service Protection for former Presidents and for the children of former Presidents, and the bill was then passed. **Pages S8516–17**

Officer Safety Act: Senate passed H.R. 6621, to correct and improve certain provisions of the Leahy-Smith America Invents Act and title 35, United States Code, after agreeing to the following amendment proposed thereto: **Pages S8517–18**

Reid (for Leahy/Grassley) Amendment No. 3444, in the nature of a substitute. **Pages S8517–18**

Job Protection and Recession Prevention Act—Agreement: A unanimous-consent agreement was reached providing that at a time to be determined by the Majority Leader, with the concurrence of the Republican Leader, Senate begin consideration of the motion to proceed to consideration of H.R. 8, to extend certain tax relief provisions enacted in 2001 and 2003, and to provide for expedited consideration of a bill providing for comprehensive tax reform.

Page S8513

Galante and Baer Nominations—Agreement: A unanimous-consent-time agreement was reached providing that at approximately 1 p.m., on Sunday, December 30, 2012, Senate begin consideration of the nomination of Carol J. Galante, of California, to be an Assistant Secretary of Housing and Urban Development, under the previous order; provided further, that upon the use or yielding back of time, Senate begin consideration of the nomination of William Joseph Baer, of Maryland, to be an Assistant Attorney General, and vote on confirmation of the nominations; that there be two minutes for debate, equally divided in the usual form prior to each vote; and that no further motions be in order to the nominations. **Page S8513**

Executive Communications: **Pages S8506–07**

Additional Cosponsors: **Page S8507**

Statements on Introduced Bills/Resolutions:

Pages S8507–08

Amendments Submitted: **Pages S8508–13**

Record Votes: Fourteen record votes were taken today. (Total—248)

Pages S8460–61, S8463–68, S8480–83, S8486

Adjournment: Senate convened at 9 a.m. and adjourned at 7:50 p.m., until 1 p.m. on Sunday, December 30, 2012. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S8518.)

Committee Meetings

(Committees not listed did not meet)

No committee meetings were held.

House of Representatives

Chamber Action

The House was not in session today. The House is scheduled to meet on Sunday, December 30, 2012 for legislative business.

Committee Meetings

No hearings were held.

Joint Meetings

No joint committee meetings were held.

COMMITTEE MEETINGS FOR SUNDAY, DECEMBER 30, 2012

(Committee meetings are open unless otherwise indicated)

Senate

No meetings/hearings scheduled.

House

No meetings/hearings scheduled.

Next Meeting of the SENATE

1 p.m., Sunday, December 30

Senate Chamber

Program for Sunday: Senate will begin consideration of the nomination of Carol J. Galante, of California, to be an Assistant Secretary of Housing and Urban Development, with up to one hour of debate. Upon the use or yielding back of time, Senate will begin consideration of the nomination of William Joseph Baer, of Maryland, to be an Assistant Attorney General, and vote on confirmation of the nominations at approximately 2 p.m.

(Following disposition of the nomination of Carol J. Galante, Senate will recess for one hour to allow for caucus meetings.)

Next Meeting of the HOUSE OF REPRESENTATIVES

2 p.m., Sunday, December 30

House Chamber

Program for Sunday: The House is scheduled to meet for legislative business at 2 p.m.

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 the U.S. Government Printing Office at *www.fdsys.gov*, free of charge to the user. The information is updated online each day the *Congressional Record* is published. For more information, contact the GPO Customer Contact Center, U.S. Government Printing Office. Phone 202–512–1800, or 866–512–1800 (toll-free). E-Mail, *contactcenter@gpo.gov*. ¶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 979050, St. Louis, MO 63197–9000, or phone orders to 866–512–1800 (toll-free), 202–512–1800 (D.C. area), or fax to 202–512–2104. 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.