

# Daily Digest

## Senate

### Chamber Action

*Routine Proceedings, pages S7279–S7310*

**Measures Introduced:** Three resolutions were introduced, as follows: S. Res. 605–607. **Page S7303**

#### Measures Reported:

S. 810, to prohibit the conducting of invasive research on great apes, with an amendment in the nature of a substitute. (S. Rept. No. 112–242)

S. 1735, to approve the transfer of Yellow Creek Port properties in Iuka, Mississippi. (S. Rept. No. 112–243) **Page S7302**

#### Measures Passed:

**Hatch Act Modernization Act:** Senate passed S. 2170, to amend the provisions of title 5, United States Code, which are commonly referred to as the “Hatch Act”, to scale back the provision forbidding certain State and local employees from seeking elective office, clarify the application of certain provisions to the District of Columbia, and modify the penalties which may be imposed for certain violations under subchapter III of chapter 73 of that title, after agreeing to the committee amendment in the nature of a substitute and the committee amendment to the title. **Pages S7307–08**

**Congratulating the Southern Baptist Convention:** Committee on the Judiciary was discharged from further consideration of S. Res. 518, congratulating the Southern Baptist Convention for electing Reverend Fred Luter, Jr., as the president of the Southern Baptist Convention, acknowledging Reverend Luter’s unique role as the first African-American leader of the Southern Baptist Convention, and honoring the commitment of the Southern Baptist Convention to an inclusive faith-based community and society, and the resolution was then agreed to. **Page S7308**

**National Tribal Colleges and Universities Week:** Senate agreed to S. Res. 605, designating the week beginning November 26, 2012, as “National Tribal Colleges and Universities Week”. **Pages S7308–09**

**Sisters of Charity of Nazareth 200th Anniversary:** Senate agreed to S. Res. 606, commemorating the 200th anniversary of the founding of the Sisters of Charity of Nazareth, on December 1, 1812. **Page S7309**

**Death of Former Senator and Congressman George McGovern:** Senate agreed to S. Res. 607, relative to the death of the Honorable George McGovern, former United States Senator and Congressman from the State of South Dakota. **Page S7310**

#### Measures Considered:

**National Defense Authorization Act—Agreement:** Senate continued consideration of S. 3254, to authorize appropriations for fiscal year 2013 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, taking action on the following amendments proposed thereto: **Pages S7280–93, S7293–S7300**

#### Adopted:

Sessions Amendment No. 3009, to provide for congressional review of any bilateral security agreement with Afghanistan. **Pages S7280–81**

By a unanimous vote of 94 yeas (Vote No. 215), Menendez Amendment No. 3232, to enhance sanctions imposed with respect to Iran. **Pages S7282–83**

Levin (for McCain) Amendment No. 3052, to provide a military resource plan to meet the United States Force Posture Strategy in the Asia Pacific Region. **Page S7288**

Levin (for Whitehouse) Amendment No. 3075, to express the sense of the Senate on the continuing progress of the Department of Defense in implementing its Item Unique Identification Initiative. **Page S7288**

Levin (for Snowe) Amendment No. 3133, to terminate the Federal authorization of the National Veterans Business Development Corporation. **Pages S7288–89**

Levin (for Sanders) Amendment No. 3182, to require an annual report on Federal contracting fraud. **Pages S7288–89**

Levin (for Sanders) Amendment No. 3183, to require public availability of the database of senior Department officials seeking employment with defense contractors. **Pages S7288–89**

Levin (for Warner/Cornyn) Amendment No. 3233, to promote a more efficient, responsive, and effective bilateral defense trade relationship between the United States and India. **Pages S7288–89**

Levin (for Coburn) Amendment No. 3236, to ensure that the Deputy Chief Management Officer of the Department of Defense obtains information from the military departments and Defense Agencies necessary to conduct defense business system investment reviews. **Pages S7288–89**

Levin (for Sanders/Inhofe) Amendment No. 3248, to amend the Federal renewable energy purchase requirement to include geothermal heat pumps. **Pages S7288–89**

Levin (for Rubio/Wyden) Amendment No. 3283, to require a report on implementation by the Government of Bahrain of the recommendations contained in the Report of the Bahrain Independent Commission of Inquiry. **Pages S7288–90**

Levin (for Wyden) Amendment No. 2959, to require reports on the use of indemnification agreements in Department of Defense contracts. **Page S7294**

Levin (for Bingaman/Udall (NM)) Amendment No. 2984, to provide for national security benefits for White Sands Missile Range and Fort Bliss. **Page S7294**

Levin (for Grassley) Amendment No. 3079, to permit Federal officers to remove cases involving crimes of violence to Federal court. **Page S7294**

Levin (for Barrasso) Amendment No. 3082, to require a report on the issuance by the Armed Forces Medical Examiner of death certificates for members of the Armed Forces who die on active duty abroad. **Pages S7294–95**

Levin (for Vitter) Modified Amendment No. 3087, to require a report on Department of the Navy plans to implement efficiency initiatives to reduce overhead costs at the Space and Naval Warfare Systems Command (SPAWAR). **Pages S7294–95**

Levin (for Klobuchar/Snowe) Amendment No. 3102, to provide for the retention of certain forms in connection with Restricted Reports on sexual assault involving members of the Armed Forces. **Pages S7294–95**

Levin (for Klobuchar/Snowe) Amendment No. 3105, relating to the prevention and response to sexual harassment in the Armed Forces. **Pages S7294–95**

Levin (for Murkowski) Amendment No. 3135, to extend the deadline for submission of a report on the

findings and conclusions of the National Commission on the Structure of the Air Force. **Pages S7294–95**

Levin (for Warner) Amendment No. 3145, to require a study on the ability of national air and ground test and evaluation infrastructure facilities to support defense hypersonic test and evaluation activities. **Pages S7294–96**

Levin (for Collins) Modified Amendment No. 3196, to require a research study on resilience in members of the Army. **Pages S7294–96**

Levin (for Barrasso/Enzi) Amendment No. 3198, to renew expired prohibition on return of veterans memorial objects without specific authorization in law. **Pages S7294–96**

Levin (for Klobuchar/Snowe) Amendment No. 3234, to enhance the annual reports regarding sexual assaults involving members of the Armed Forces. **Pages S7294–96**

Levin (for Reid) Amendment No. 3244, to amend title 18, United States Code, to provide penalties for transporting minors in foreign commerce for the purposes of female genital mutilation. **Pages S7294–97**

Levin (for McCain) Modified Amendment No. 3247, relating to the transfer of excess aircraft. **Pages S7294–97**

Levin (for Alexander/Corker) Amendment No. 3258, to modify the authority to carry out a fiscal year 2011 military construction project at Nashville International Airport. **Pages S7294–97**

Levin Amendment No. 3280, to require reports to the Department of Defense on penetrations of networks and information systems of certain contractors. **Pages S7294–97**

Levin (for Begich) Amendment No. 3290, to modify notice requirements in advance of permanent reductions of sizeable numbers of members of the Armed Forces at military installations. **Pages S7294–98**

Rejected:

By 41 yeas to 53 nays (Vote No. 214), Cardin Amendment No. 3025, to ensure sufficient sizing of the civilian and contract services workforces of the Department of Defense. **Pages S7281–82**

Pending:

Kyl Modified Amendment No. 3123, to require briefings on dialogue between the United States and the Russian Federation on nuclear arms, missile defense, and long-range conventional strike systems. **Pages S7280, S7285–88**

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

By 58 yeas to 34 nays (Vote No. 216), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive pursuant to the Congressional Budget Act

of 1974, with respect to Nelson (FL) Amendment No. 3073, to repeal the requirement for reduction of survivor annuities under the Survivor Benefit Plan by veterans' dependency and indemnity compensation. Subsequently, the point of order that the amendment was in violation of section 302(f) of the Congressional Budget Act of 1974, was sustained, and the amendment thus fell. **Pages S7284–85**

A motion was entered to close further debate on 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 Friday, November 30, 2012, a vote on cloture will occur upon disposition of the nomination of Paul William Grimm, of Maryland, to be United States District Judge for the District of Maryland. **Page S7293**

A unanimous-consent agreement was reached providing that Senate resume consideration of the bill at approximately 2 p.m., on Monday, December 3, 2012; that following the disposition of the order with respect to the nomination of Paul William Grimm, of Maryland, to be United States District Judge for the District of Maryland, Senate resume consideration of the bill, and vote on the motion to invoke cloture; and that the second-degree filing deadline for amendments to the bill be at 4 p.m., on Monday, December 3, 2012. **Page S7310**

**Convention on the Rights of Persons With Disabilities Treaty—Agreement:** A unanimous-consent agreement was reached providing that there be no amendments in order to the treaty or the resolution of the ratification; that following Leader remarks on Tuesday, December 4, 2012, the time until 12 noon be divided in the usual form; that at 12 noon, Senate vote on the Resolution of Advice and Consent to Ratification of the Convention on the Rights of Persons with Disabilities; provided further, that if the resolution is not adopted, the treaty be returned to the calendar, and there be no motions or points of order in order other than a motion to reconsider. **Page S7293**

**Grimm Nomination—Agreement:** A unanimous-consent-time agreement was reached providing that

at 5 p.m., on Monday, December 3, 2012, Senate begin consideration of the nomination of Paul William Grimm, of Maryland, to be United States District Judge for the District of Maryland; that there be 30 minutes for debate equally provided in the usual form; that upon the use yielding back of time, Senate vote without intervening action or debate on confirmation of the nomination; and that no further motions be in order to the nomination. **Page S7310**

**Shea Nomination—Agreement:** A unanimous-consent-time agreement was reached providing that at a time to be determined by the Majority Leader, in consultation with the Republican Leader, Senate begin consideration of the nomination of Michael P. Shea, of Connecticut, to be United States District Judge for the District of Connecticut; 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; and that no further motions be in order to the nomination. **Page S7307**

**Messages from the House:** **Page S7302**

**Additional Cosponsors:** **Pages S7303–05**

**Statements on Introduced Bills/Resolutions:** **Pages S7305–06**

**Amendments Submitted:** **Pages S7306–07**

**Record Votes:** Three record votes were taken today. (Total—216) **Pages S7282–85**

**Adjournment:** Senate convened at 9:15 a.m. and adjourned, as a further mark of respect to the memory of the late former Senator George McGovern, in accordance with S. Res. 607, at 4:38 p.m., until 2 p.m. on Monday, December 3, 2012. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S7310.)

## Committee Meetings

(Committees not listed did not meet)

No committee meetings were held.

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# House of Representatives

## Chamber Action

**Public Bills and Resolutions Introduced:** 5 public bills, H.R. 6620–6624; and 1 resolution, H. Con. Res. 142 were introduced. **Page H6578**

**Additional Cosponsors:** **Page H6578**

**Report Filed:** A report was filed today as follows: H.R. 4053, to intensify efforts to identify, prevent, and recover payment error, waste, fraud, and

abuse within Federal spending, with an amendment (H. Rept. 112–698). **Page H6578**

**Journal:** The House agreed to the Speaker's approval of the Journal by voice vote. **Page H6561**

**STEM Jobs Act of 2012:** The House passed H.R. 6429, to amend the Immigration and Nationality Act to promote innovation, investment, and research in the United States and to eliminate the diversity immigrant program, by a yea-and-nay vote of 245 yeas to 139 nays, Roll No. 613. **Pages H6539–61**

Rejected the Zoe Lofgren motion to recommit the bill to the Committee on the Judiciary with instructions to report the same back to the House forthwith with an amendment, by a yea-and-nay vote of 157 yeas to 231 nays, Roll No. 612. **Pages H6556–60**

Pursuant to the rule, an amendment in the nature of a substitute consisting of the text of Rules Committee Print 112–34, modified by the amendment printed in H. Rept. 112–697, shall be considered as adopted. **Page H6539**

H. Res. 821, the rule that is providing for consideration of the bill, was agreed to yesterday, November 29th.

**Meeting Hour:** Agreed that when the House adjourns today, it adjourn to meet at 12 noon on Monday, December 3rd for morning hour debate and 2 p.m. for legislative business. **Page H6564**

**Senate Message:** Message received from the Senate today appears on pages H6561–62.

**Senate Referral:** S. 3542 was held at the desk.

**Quorum Calls—Votes:** Two yea-and-nay votes developed during the proceedings of today and appear on pages H6560, H6560–61. There were no quorum calls.

**Adjournment:** The House met at 9 a.m. and adjourned at 2:21 p.m.

## Committee Meeting

*Committee on Science, Space, and Technology:* Subcommittee on Energy and Environment held a hearing entitled “Tapping America’s Energy Potential Through Research and Development”. Testimony was heard from Anthony Cugini, Director, National Energy Technology Laboratory, Department of Energy; Michael C. Hagood, Director, Program Development; Energy and Environment Science and Technology, Idaho National Laboratory, Idaho Falls, Idaho; and public witnesses.

## Joint Meetings

No joint committee meetings were held.

## COMMITTEE MEETINGS FOR MONDAY, DECEMBER 3, 2012

*(Committee meetings are open unless otherwise indicated)*

### Senate

No meetings/hearings scheduled.

### House

No hearings are scheduled.

### Joint Meetings

*Joint Economic Committee:* December 6, to hold hearings to examine the fiscal cliff, focusing on how to protect the middle class, sustain long-term economic growth, and reduce the Federal deficit, 9:30 a.m., SH–216.

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## CONGRESSIONAL PROGRAM AHEAD

Week of December 3 through December 7, 2012

### Senate Chamber

On *Monday*, at approximately 2 p.m., Senate will resume consideration of S. 3254, National Defense Authorization Act. At 5 p.m., Senate will begin consideration of the nomination of Paul William Grimm, of Maryland, to be United States District Judge for the District of Maryland. At approximately 5:30 p.m., Senate will vote on confirmation of the nomination of Paul William Grimm, of Maryland, to be United States District Judge for the District of Maryland, to be followed by a vote on the motion to invoke cloture on S. 3254, National Defense Authorization Act.

On *Tuesday*, at 12 noon, Senate will vote on the Resolution of Advice and Consent to Ratification of the Convention on the Rights of Persons with Disabilities.

During the balance of the week, Senate may consider any cleared legislative and executive business.

### Senate Committees

*(Committee meetings are open unless otherwise indicated)*

*Committee on Appropriations:* December 5, Subcommittee on Department of Homeland Security, to hold hearings to examine Hurricane Sandy, focusing on response and recovery and progress and challenges, 10 a.m., SD–192.

*Committee on Banking, Housing, and Urban Affairs:* December 6, to hold an oversight hearing to examine the Federal Housing Administration, focusing on Housing and Urban Development’s response to fiscal challenges, 10 a.m., SD–538.

*Committee on Commerce, Science, and Transportation:* December 4, to hold hearings to examine the nominations of Mark Doms, of Maryland, to be Under Secretary of Commerce for Economic Affairs, Polly Ellen Trottenberg, of Maryland, to be Under Secretary of Transportation for Policy, Mignon L. Clyburn, of South Carolina, to be a Member of the Federal Communications Commission,

Joshua D. Wright, of Virginia, to be a Federal Trade Commissioner, and Christopher R. Beall, of Oklahoma, and Yvonne Brathwaite Burke, of California, both to be a Director of the Amtrak Board of Directors, 2:30 p.m., SR-253.

December 6, Subcommittee on Surface Transportation and Merchant Marine Infrastructure, Safety, and Security, to hold hearings to examine superstorm Sandy, focusing on the devastating impact on the nation's largest transportation systems, 10:30 a.m., SR-253.

*Committee on Finance:* December 6, to hold hearings to examine the nomination of Ronald Lee Buch, of Virginia, to be a Judge of the United States Tax Court, 10 a.m., SD-215.

*Committee on Foreign Relations:* December 5, Subcommittee on African Affairs, to hold hearings to examine assessing developments in Mali, focusing on restoring democracy and reclaiming the north, 9 a.m., SD-419.

*Committee on Health, Education, Labor, and Pensions:* December 5, business meeting to consider S. 3472, to amend the Family Educational Rights and Privacy Act of 1974 to provide improvements to such Act, the nomination of Erica Lynn Groshen, of New York, to be Commissioner of Labor Statistics, Department of Labor, and any pending nominations, 10 a.m., SD-430.

*Committee on the Judiciary:* December 6, business meeting to consider S. 1223, to address voluntary location tracking of electronic communications devices, and the nominations of Katherine Polk Failla, to be United States District Judge for the Southern District of New York, Troy L. Nunley, to be United States District Judge for the Eastern District of California, Sheri Polster Chappell, to be United States District Judge for the Middle District of Florida, Pamela Ki Mai Chen, to be United States District Judge for the Eastern District of New York, and Mark A. Barnett, to be a Judge of the United States Court of International Trade, 10 a.m., SD-226.

*Select Committee on Intelligence:* December 4, to hold closed hearings to examine certain intelligence matters, 2:30 p.m., SH-219.

December 6, Full Committee, to hold closed hearings to examine certain intelligence matters, 2:30 p.m., SH-219.

### House Committees

*Committee on Financial Services,* December 5, Subcommittee on Capital Markets and Government Sponsored Enterprises, hearing entitled "Assessing the Economic and Market Implications of the Dodd-Frank Derivatives Title", 10 a.m., 2128 Rayburn.

*Committee on Foreign Affairs,* December 5, Subcommittee on Europe and Eurasia, hearing entitled "Iranian Influence in the South Caucasus and the Surrounding Region", 2 p.m., 2172 Rayburn.

*Committee on Homeland Security,* December 4, Subcommittee on Counterterrorism and Intelligence, hearing entitled "Terrorist Exploitation of Refugee Programs", 10 a.m., 311 Cannon.

*Committee on Natural Resources,* December 4, Subcommittee on Indian and Alaska Native Affairs, hearing on S.3193, the "Barona Band of Mission Indians Land Transfer Clarification Act of 2012", 11 a.m., 1334 Longworth.

*Committee on Science, Space, and Technology,* December 5, Subcommittee on Investigations and Oversight, hearing entitled "The Impact of International Technology Transfer on American Research and Development", 10 a.m., 2318 Rayburn.

December 6, Full Committee, hearing entitled "The Future of NASA: Perspectives on Strategic Vision for America's Space Program", 9:30 a.m., 2318 Rayburn.

*Committee on Transportation and Infrastructure,* December 4, Full Committee, hearing entitled "A Review of the Preparedness, Response To and Recovery From Hurricane Sandy", 10 a.m., 2167 Rayburn.

December 6, Full Committee, hearing entitled "An Update on the High Speed and Intercity Passenger Rail Program: Mistakes Made and Lessons Learned", 9:30 a.m., 2167 Rayburn.

*House Permanent Select Committee on Intelligence,* December 6, Full Committee, hearing on ongoing intelligence activities, 9 a.m., HVC-304. This is a closed hearing.

Next Meeting of the SENATE

2 p.m., Monday, December 3

Next Meeting of the HOUSE OF REPRESENTATIVES

12 p.m., Monday, December 3

Senate Chamber

**Program for Monday:** Senate will resume consideration of S. 3254, National Defense Authorization Act. At 5 p.m., Senate will begin consideration of the nomination of Paul William Grimm, of Maryland, to be United States District Judge for the District of Maryland. At approximately 5:30 p.m., Senate will vote on confirmation of the nomination of Paul William Grimm, of Maryland, to be United States District Judge for the District of Maryland, to be followed by a vote on the motion to invoke cloture on S. 3254, National Defense Authorization Act.

House Chamber

**Program for Monday:** To be announced.

Extensions of Remarks, as inserted in this issue

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