

Thursday, July 1, 2010

# Daily Digest

## Highlight

See Résumé of Congressional Activity.

## Senate

### *Chamber Action*

The Senate was not in session today. It will next meet at 2:00 p.m. on Monday, July 12, 2010.

### *Committee Meeting*

#### NOMINATION

*Committee on the Judiciary:* Committee continued hearings to examine the nomination of Elena Kagan, of Massachusetts, to be an Associate Justice of the Supreme Court of the United States, after receiving testimony from Lilly Ledbetter, Jacksonville, Alabama; Jack Gross, Des Moines, Iowa; Jennifer Gibbins, Prince William Soundkeeper, Cordova, Alaska; Captain Flagg Youngblood, USA (Ret.), Captain Pete Hegseth, Army National Guard Vets for Freedom, Gregory Garre, former Solicitor General of the United States, Latham and Watkins, Robert Alt, Heritage Foundation, Ed Whelan, Ethics and Public Policy Center, Marcia Greenberger, National Women's Law Center, and Tony Perkins, Family Research Council, all of Washington, D.C.; Colonel Thomas N. Moe, USAF (Ret.), Lancaster, Ohio; Jack Goldsmith, Robert C. Clark, and Ronald Sullivan, all of Harvard Law School, Cambridge, Massachusetts; Captain Kurt White, Harvard Law Armed Forces Association, Somerville, Massachusetts; Ronald Rotunda, Chapman University School of Law, Orange, California; Stephen Presser, Northwestern University School of Law, Chicago, Illinois; Kim J. Askew, Dallas, Texas, and William J. Kayatta, Jr., Portland, Maine, both of the American Bar Association Standing Committee on the Federal Judiciary; Massachusetts Court of Appeals Associate Justice Fernande Duffly, Boston, Massachusetts, on behalf of the National Association of Women Judges; Charmaine Yost, Americans United for Life, Arlington, Virginia; Peter Kirsanow, Benesch Law Firm, Cleveland, Ohio; David Kopel, Independence Institute, Golden, Colorado; and William J. Olson, William J. Olson, P.C., Vienna, Virginia.

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## House of Representatives

### *Chamber Action*

**Public Bills and Resolutions Introduced:** 53 public bills, H.R. 5658–5710 and 12 resolutions, H. Con. Res. 295–296; and H. Res. 1498–1499, 1501–1508 were introduced. **Pages H5500–03**

**Additional Cosponsors:** **Pages H5503–04**

**Reports Filed:** Report were filed today as follows:

H. Res. 1500, providing for consideration of the Senate amendments to the bill (H.R. 4899) making emergency supplemental appropriations for disaster relief and summer jobs for the fiscal year ending September 30, 2010 (H. Rept. 111–522);

In the matter of Representative Laura Richardson (H. Rept. 111–523); and

H.R. 5320, to amend the Safe Drinking Water Act to increase assistance for States, water systems, and disadvantaged communities; to encourage good financial and environmental management of water systems; to strengthen the Environmental Protection Agency's ability to enforce the requirements of the Act; to reduce lead in drinking water; to strengthen the endocrine disruptor screening program; and for other purposes, with an amendment (H. Rept. 111–524). **Page H5500**

**Speaker:** Read a letter from the Speaker wherein she appointed Representative Jackson (IL) to act as Speaker pro tempore for today. **Page H5305**

**Chaplain:** The prayer was offered by the guest chaplain, Reverend Bradford Braley, First Presbyterian Church, Cedar Falls, Iowa. **Page H5305**

**Suspensions—Proceedings Resumed:** The House agreed to suspend the rules and pass the following measures which were debated on Tuesday, June 29th:

*Honoring the veterans of Helicopter Attack Light Squadron Three:* H. Res. 1228, amended, to honor the veterans of Helicopter Attack Light Squadron Three and their families, by a  $\frac{2}{3}$  ye-and-nay vote of 410 yeas with none voting “nay”, Roll No. 415; **Page H5309**

*Salmon Lake Land Selection Resolution Act:* H.R. 2340, to resolve the claims of the Bering Straits Native Corporation and the State of Alaska to land adjacent to Salmon Lake in the State of Alaska and to provide for the conveyance to the Bering Straits Native Corporation of certain other public land in partial satisfaction of the land entitlement of the Corporation under the Alaska Native Claims Settlement Act, by a  $\frac{2}{3}$  recorded vote of 410 yeas with none voting “no”, Roll No. 416; and **Pages H5309–10**

*Recognizing the important role pollinators play in supporting the ecosystem and supporting the goals and ideals of National Pollinator Week:* H. Res. 1460, to recognize the important role pollinators play in supporting the ecosystem and supporting the goals and ideals of National Pollinator Week, by a  $\frac{2}{3}$  recorded vote of 412 yeas with none voting “no” and 1 voting “present”, Roll No. 417. **Page H5311**

**Suspensions—Proceedings Resumed:** The House agreed to suspend the rules and pass the following measures which were debated on Wednesday, June 30th:

*Expressing the sense of the House of Representatives that the political situation in Thailand be solved peacefully and through democratic means:* H. Res. 1321, amended, to express the sense of the House of Representatives that the political situation in Thailand be solved peacefully and through democratic means, by a  $\frac{2}{3}$  recorded vote of 411 yeas to 4 noes, Roll No. 419; **Pages H5319–20**

Agreed to amend the title so as to read: “Affirming the support of the United States for a strong and vital alliance with Thailand.” **Page H5320**

*Congratulating the people of the 17 African nations that in 2010 are marking the 50th year of their national independence:* H. Res. 1405, amend-

ed, to congratulate the people of the 17 African nations that in 2010 are marking the 50th year of their national independence, by a  $\frac{2}{3}$  recorded vote of 410 yeas with none voting “no”, Roll No. 420; **Page H5320**

*Congratulating the Government of South Africa upon its first two successful convictions for human trafficking:* H. Res. 1412, amended, to congratulate the Government of South Africa upon its first two successful convictions for human trafficking, by a  $\frac{2}{3}$  ye-and-nay vote of 414 yeas to 1 nay, Roll No. 421; **Page H5327**

*Expressing support for designation of June 30 as “National ESIGN Day”:* H. Con. Res. 290, to express support for designation of June 30 as “National ESIGN Day”, by a  $\frac{2}{3}$  recorded vote of 397 yeas to 15 noes, Roll No. 426; and **Page H5342**

*Expressing support for the people of Guatemala, Honduras, and El Salvador as they persevere through the aftermath of Tropical Storm Agatha:* H. Res. 1462, amended, to express support for the people of Guatemala, Honduras, and El Salvador as they persevere through the aftermath of Tropical Storm Agatha which swept across Central America causing deadly floods and mudslides, by a  $\frac{2}{3}$  recorded vote of 403 yeas to 1 noe, Roll No. 429. **Page H5358**

**Restoration of Emergency Unemployment Compensation Act of 2010:** The House passed H.R. 5618, to continue Federal unemployment programs, by a recorded vote of 270 yeas to 153 noes, Roll No. 423. **Pages H5321–30**

Agreed to table the appeal of the ruling of the chair on a point of order sustained against the Camp motion to recommit the bill to the Committee on Ways and Means with instructions to report the same back to the House forthwith with an amendment, by a recorded vote of 220 yeas to 196 noes, Roll No. 422. **Pages H5328–29**

Pursuant to the rule, the amendment printed in H. Rept. 111–519 shall be considered as adopted. **Page H5321**

H. Res. 1495, the rule providing for consideration of the bill, was agreed to by a ye-and-nay vote of 231 yeas to 189 nays, Roll No. 418, after the previous question was ordered without objection. **Pages H5311–19**

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

*Securing Protections for the Injured from Limitations on Liability Act:* H.R. 5503, amended, to revise laws regarding liability in certain civil actions arising from maritime incidents and **Pages H5330–36**

*Amending the Federal Election Campaign Act of 1971 to prohibit any registered lobbyist whose clients include foreign governments which are found to be sponsors of international terrorism or include other foreign nationals from making contributions and other campaign-related disbursements in elections for public office:* H.R. 5609, amended, to amend the Federal Election Campaign Act of 1971 to prohibit any registered lobbyist whose clients include foreign governments which are found to be sponsors of international terrorism or include other foreign nationals from making contributions and other campaign-related disbursements in elections for public office, by a  $\frac{2}{3}$  yeas-and-nay vote of 408 yeas to 4 nays, Roll No. 425.

**Pages H5336–40, H5341–42**

Agreed to amend the title so as to read: "To amend the Federal Election Campaign Act of 1971 to prohibit any registered lobbyist whose clients include foreign governments which are found to be sponsors of international terrorism from making contributions and other campaign-related disbursements in elections for public office."

**Page H5342**

**Call of the House:** The Speaker called the House to order and ascertained the presence of a quorum (416 present, Roll No. 424).

**Pages H5340–41**

**Call of the House:** The Speaker called the House to order and ascertained the presence of a quorum (419 present, Roll No. 427).

**Page H5356**

**Supplemental Appropriations Act, 2010:** Representative Obey moved to concur in the Senate amendment to the text of H.R. 4899, making emergency supplemental appropriations for disaster relief and summer jobs for the fiscal year ending September 30, 2010, with each of the five amendments printed in H. Rept. 111–522. The first portion, consisting of amendment No. 1 printed in H. Rept. 111–522, was considered as adopted pursuant to H. Res. 1500. The Chair then put the question on adoption of each of portions two through five.

**Pages H5358–71**

On concurring in the Senate amendment to the text with the second portion of the divided question, consisting of amendment No. 2 printed in H. Rept. 111–522, agreed to by a yeas-and-nay vote of 239 yeas to 182 nays with 1 voting "present", Roll No. 430.

**Pages H5371–83, H5404–05**

On concurring in the Senate amendment to the text with the third portion of the divided question, consisting of amendment No. 3 printed in H. Rept. 111–522, rejected by a recorded vote of 25 yeas to 376 noes with 22 voting "present", Roll No. 431.

**Pages H5383–H5406**

On concurring in the Senate amendment to the text with the fourth portion of the divided question,

consisting of amendment No. 4 printed in H. Rept. 111–522, rejected by a recorded vote of 100 yeas to 321 noes, Roll No. 432.

**Pages H5406–07**

On concurring in the Senate amendment to the text with the fifth portion of the divided question, consisting of amendment No. 5 printed in H. Rept. 111–522, rejected by a recorded vote of 162 yeas to 260 noes, Roll No. 433.

**Page H5406**

H. Res. 1500, the rule providing for consideration of the Senate amendment, was agreed to by a yeas-and-nay vote of 215 yeas to 210 nays, Roll No. 428, after the previous question was ordered without objection.

**Pages H5342–43, H5356–58**

Pursuant to the rule, H. Res. 1493 is adopted.

**Page H5357**

**Committee on Transportation and Infrastructure—Communication:** Read a letter from Chairman Oberstar wherein he transmitted copies of 15 resolutions for the General Services Administration's FY 2010 Capital Investment and Leasing Program adopted by the Committee on Transportation and Infrastructure on July 1, 2010.

**Pages H5407–90**

**Quorum Calls—Votes:** Six yeas-and-nay votes and 11 recorded votes developed during the proceedings of today and appear on pages H5309, H5310, H5311, H5318–19, H5319–20, 5320, H5327, H5328–29, H5329–30, H5341–42, H5342, H5357, H5358, H5404–05, H5405–06, H5406 and H5406–07. Two quorum calls (Roll No. 424 and Roll No. 427) developed during the proceedings of today and appear on pages H5340–41 and H5356.

**Adjournment:** The House met at 10 a.m. and at 11:59 p.m., pursuant to the provisions of H. Con. Res. 293, the House stands adjourned until 2 p.m. on Tuesday, July 13, 2010.

## Committee Meetings

### MANAGING CONSERVATION PROGRAMS

*Committee on Agriculture:* Subcommittee on Conservation, Credit, Energy, and Research held a hearing to review the administration and delivery of conservation programs. Testimony was heard from the following officials of the Department of Agriculture: Dave White, Chief, Natural Resources Conservation Service; and Jonathan W. Coppess, Administrator, Farm Service Agencies; and public witnesses.

### LEGISLATIVE BRANCH APPROPRIATIONS

*Committee on Appropriations:* Subcommittee on Legislative Branch approved for full Committee the FY Legislative Branch Appropriations bill.

**TRANSPORTATION, HUD, AND RELATED AGENCIES APPROPRIATIONS**

*Committee on Appropriations:* Subcommittee on Transportation, and Housing and Urban Development, and Related Agencies approved for full Committee action the Transportation, and Housing and Urban Development, and Related Agencies Appropriations bill.

**PERSPECTIVES ON THE U.S. ECONOMY**

*Committee on the Budget:* Held a hearing on Perspectives on the U.S. Economy. Testimony was heard from public witnesses.

**IMPROVING CHILD NUTRITION**

*Committee on Education and Labor:* Held a hearing on H.R. 5504, Improving Nutrition for America's Children Act. Testimony was heard from Thomas J. Vilsack, Secretary of Agriculture; and public witnesses.

**DIABETES PROGRAMS AND CHALLENGES**

*Committee on Energy and Commerce:* Subcommittee on Health held a hearing entitled "The Battle Against Diabetes: Progress Made; Challenges Unmet." Testimony was heard from the following officials of the Department of Health and Human Services: Judith Fradkin, M.D., Director, Division of Diabetes, Endocrinology, and Metabolic Diseases, National Institute of Diabetes and Digestive and Kidney Diseases, NIH; and Ann Albright, Director, Division of Diabetes Translation, Centers for Disease Control and Prevention; and public witnesses.

**FEDERAL CLOUD COMPUTING TRANSITION**

*Committee on Oversight and Government Reform:* and the Subcommittee on Government Management, Organization, and Procurement held a joint oversight hearing entitled "Cloud Computing: Benefits and Risks of Moving Federal IT into the Cloud." Testimony was heard from Vivek Kundra, Federal Chief Information Officer, Administrator, E-Government and Information Technology, OMB; David McClure, Associate Administrator, Office of Citizen Services and Innovative Technologies, GSA; Cita Furlani, Director, Information Technology Laboratory, National Institute of Standards and Technology, Department of Commerce; Gregory Wilshusen, Director, Information Security Issues, GAO; and public witnesses.

**NATIONAL HISTORICAL PUBLICATIONS AND RECORDS COMMISSION ACT**

*Committee on Oversight and Government Reform:* Subcommittee on Information Policy, Census, and National Archives approved for full Committee action

H.R. 5616, National Historical Publications and Records Commission Act of 2010.

**HOUSE AMENDMENTS TO THE SENATE AMENDMENTS TO H.R. 4899, THE SUPPLEMENTAL APPROPRIATIONS ACT, 2010**

*Committee on Rules:* Granted, by a non-record vote, a rule providing for consideration of the Senate amendments to H.R. 4899, making emergency supplemental appropriations for disaster relief and summer jobs for the fiscal year ending September 30, 2010, and for other purposes, with the Senate amendments thereto. The rule makes in order a motion by the chairman of the Committee on Appropriations to concur in the Senate amendment to the text with each of the five House amendments printed in the Rules Committee report. The rule waives all points of order against consideration of the motion except those arising under clause 10 of rule XXI and provides that the Senate amendments and the motion shall be considered as read. The rule provides that the motion shall be debatable for one hour and 30 minutes as follows: 30 minutes equally divided and controlled by the chair and ranking minority member of the Committee on Appropriations; then 30 minutes equally divided and controlled by Representative Lee of California or her designee and an opponent; and then 30 minutes equally divided and controlled by Representative McGovern of Massachusetts or his designee and an opponent. The rule provides that the previous question shall be considered as ordered on the motion to final adoption without intervening motion or demand for division of the question except that the question of adoption of the motion shall be divided among the five House amendments, with the first portion of the divided question considered as adopted. The rule provides that if the remaining portions of the divided question fail of adoption, then the House shall be considered to have rejected the motion and to have made no disposition of the Senate amendment to the text. The rule provides that upon adoption of the motion specified in the first section of the rule the Clerk shall engross the action of the House under that section as a single amendment; and a motion that the House concur in the Senate amendment to the title shall be considered as adopted. The rule allows the chair of the Committee on Appropriations to insert in the Congressional Record not later than July 3, 2010, such material as he may deem explanatory of the Senate amendments and the motion specified in the first section of the rule. The rule provides that House Rule 1493 is hereby adopted. The rule amends the time periods in clause 10 of rule XXI to align with the Statutory Pay-As-You-Go Act of

2010. Testimony was heard from Chairman Obey, Representatives Kilpatrick of Michigan, Lee of California, Moore of Wisconsin, Ellison, Lewis of California, Bishop of Utah, and Thompson of Pennsylvania.

### SMART GRID ARCHITECTURE AND STANDARDS

*Committee on Science and Technology:* Subcommittee on Technology and Innovation held a hearing on Smart Grid Architecture and Standards: Assessing Coordination and Progress. Testimony was heard from George Arnold, National Coordinator, Smart Grid, National Institute of Standards and Technology, Department of Commerce; Mason Emnett, Associate Director, Office of Energy Policy and Innovation, Federal Energy Regulatory Commission, Department of Energy; and public witnesses.

### MISCELLANEOUS MEASURES

*Committee on Transportation and Infrastructure:* Ordered reported the following measures: H.R. 5629, as amended, Oil Spill Accountability and Environmental Protection Act of 2010; H.R. 5604, Surface Transportation Savings Act of 2010; H.R. 5226, Appalachian Veterans Outreach Improvement Act; H.R. 5266, National Commission on Children and Disasters Reauthorization Act of 2010; H.R. 5301, To extend the period during which the Administrator of the Environmental Protection Agency and States are prohibited from requiring a permit under section 402 of the Federal Water Pollution Control Act for certain discharges that are incidental to normal operations of vessels; H.R. 5545, To deauthorize a portion of the project for navigation, Potomac River, Washington Channel, District of Columbia, under the jurisdiction of the Corps of Engineers; H. Con. Res. 258, Congratulating the Commandant of the Coast Guard and the Superintendent of the Coast Guard Academy and its staff for 100 years of operation of the Coast Guard Academy in New London, Connecticut; H. Res. 1366, as amended, Recognizing and honoring the freight rail industry; H. Res. 1401, as amended, Expressing gratitude for the contributions that the air traffic controllers of the United States make to keep the traveling public safe and the airspace of the United States running efficiently; and H. Res. 1463, Supporting the goals and ideals of Railroad Retirement Day.

The Committee also approved the following: General Services Administration Capital Investment and Leasing Program resolutions, and a General Services Administration Public Building Project Survey resolution.

### VETERANS MEASURES

*Committee on Veterans' Affairs:* Subcommittee on Disability Assistance and Memorial Affairs held a hearing on the following: H.R. 3407, Severely Injured Veterans Benefit Improvement Act of 2009; H.R. 3787, To amend title 38, United States Code, to deem certain service in the reserve components as active service for purposes of laws administered by the Secretary of Veterans Affairs; H.R. 4541, Veterans Pensions Protection Act of 2010; H.R. 5064, Fair Access to Veterans Benefits Act of 2010; and draft legislation. Testimony was heard from Representatives Walz, Hastings of Florida, Adler of New Jersey and Donnelly of Indiana; Thomas Pamperin, Associate Deputy Under Secretary, Policy and Programs Management, Veterans Benefits Administration, Department of Veterans Affairs; and representatives of veterans organizations.

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### NEW PUBLIC LAWS

(For last listing of Public Laws, see DAILY DIGEST, p. D749)

S.J. Res. 33, to provide for the reconsideration and revision of the proposed constitution of the United States Virgin Islands to correct provisions inconsistent with the Constitution and Federal law. Signed on June 30, 2010. (Public Law 111-194)

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### COMMITTEE MEETINGS FOR FRIDAY, JULY 2, 2010

(Committee meetings are open unless otherwise indicated)

#### Senate

No meetings/hearings scheduled.

#### House

No committee meetings are scheduled.

#### Joint Meetings

*Joint Economic Committee:* to hold hearings to examine the employment situation for June 2010, 9:30 a.m., SD-106.

# Résumé of Congressional Activity

## SECOND SESSION OF THE ONE HUNDRED ELEVENTH CONGRESS

The first table gives a comprehensive résumé of all legislative business transacted by the Senate and House. The second table accounts for all nominations submitted to the Senate by the President for Senate confirmation.

### EXECUTIVE DATA ON LEGISLATIVE ACTIVITY

January 5 through June 30, 2010

	<i>Senate</i>	<i>House</i>	<i>Total</i>
Days in session .....	89	84	..
Time in session .....	644 hrs., 29'	539 hrs., 30'	..
Congressional Record:			
Pages of proceedings .....	5,719	5,304	..
Extensions of Remarks .....	..	1,260	..
Public bills enacted into law .....	14	55	69
Private bills enacted into law .....	..	..	..
Bills in conference .....	3	3	..
Measures passed, total .....	261	466	727
Senate bills .....	36	16	..
House bills .....	54	144	..
Senate joint resolutions .....	3	3	..
House joint resolutions .....	2	2	..
Senate concurrent resolutions .....	6	3	..
House concurrent resolutions .....	19	28	..
Simple resolutions .....	141	270	..
Measures reported, total .....	*165	*126	291
Senate bills .....	109	..	..
House bills .....	44	72	..
Senate joint resolutions .....	..	..	..
House joint resolutions .....	..	..	..
Senate concurrent resolutions .....	1	..	..
House concurrent resolutions .....	..	2	..
Simple resolutions .....	11	52	..
Special reports .....	3	5	..
Conference reports .....	..	2	..
Measures pending on calendar .....	279	73	..
Measures introduced, total .....	852	1,842	2,694
Bills .....	633	1,245	..
Joint resolutions .....	9	27	..
Concurrent resolutions .....	19	69	..
Simple resolutions .....	191	501	..
Quorum calls .....	3	2	..
Yea-and-nay votes .....	204	273	..
Recorded votes .....	..	139	..
Bills vetoed .....	..	1	..
Vetoes overridden .....	..	..	..

### DISPOSITION OF EXECUTIVE NOMINATIONS

January 5 through June 30, 2010

Civilian nominations, totaling 472 (including 209 nominations carried over from the First Session), disposed of as follows:		
Confirmed .....		247
Unconfirmed .....		214
Withdrawn .....		11
Civilian nominations, totaling 1,041 (including 112 nominations carried over from the First Session), disposed of as follows:		
Confirmed .....		882
Unconfirmed .....		159
Air Force nominations, totaling 5,194 (including 759 nominations carried over from the First Session), disposed of as follows:		
Confirmed .....		4,488
Unconfirmed .....		706
Army nominations, totaling 2,959 (including 76 nominations carried over from the First Session), disposed of as follows:		
Confirmed .....		2,913
Unconfirmed .....		41
Withdrawn .....		5
Navy nominations, totaling 1,640 (including 8 nominations carried over from the First Session), disposed of as follows:		
Confirmed .....		915
Unconfirmed .....		725
Marine Corps nominations, totaling 1,181 (including 714 nominations carried over from the First Session), disposed of as follows:		
Confirmed .....		1,179
Unconfirmed .....		2
<i>Summary</i>		
Total nominations carried over from the First Session .....		1,878
Total nominations received this Session .....		10,609
Total confirmed .....		10,624
Total unconfirmed .....		1,847
Total withdrawn .....		16
Total returned to the White House .....		0

\*These figures include all measures reported, even if there was no accompanying report. A total of 106 written reports have been filed in the Senate, 133 reports have been filed in the House.

## Next Meeting of the SENATE

2 p.m., Monday, July 12

## Next Meeting of the HOUSE OF REPRESENTATIVES

2 p.m., Tuesday, July 13

## Senate Chamber

Program for Monday: Senate will be in a period of morning business. Senators should expect a roll call vote on confirmation of a judicial nomination at approximately 5:30 p.m.

## House Chamber

Program for Tuesday: To be announced.

## Extensions of Remarks, as inserted in this issue

## HOUSE

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