

Payroll Tax Relief: Senate began consideration of the motion to proceed to consideration of the motion to proceed to S. 1931, to provide civilian payroll tax relief, to reduce the Federal budget deficit, and for other purposes. **Page S8139**

By 20 yeas to 78 nays (Vote No. 220), Senate rejected the motion to proceed to consideration of the bill. (A unanimous-consent agreement was reached providing that the motion to proceed, having failed to achieve 60 affirmative votes, the motion to proceed was not agreed to.) **Page S8139**

Halligan Nomination—Cloture: Senate began consideration of the nomination of Caitlin Joan Halligan, of New York, to be United States Circuit Judge for the District of Columbia Circuit. **Page S8140**

A motion was entered to close further debate on the nomination, and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, and pursuant to the unanimous-consent agreement of Thursday, December 1, 2011, a vote on cloture will occur on Tuesday, December 6, 2011. **Page S8140**

A unanimous-consent agreement was reached providing that on Tuesday, December 6, 2011, at 11 a.m., Senate resume consideration of the nomination; that there be one hour for debate equally divided in the usual form prior to the cloture vote. **Page S8140**

Judicial Nominations—Agreement: A unanimous-consent agreement was reached providing that at 4:30 p.m., on Monday, December 5, 2011, Senate begin consideration of the nominations of Edgardo Ramos, of Connecticut, to be United States District Judge for the Southern District of New York, Andrew L. Carter, Jr., of New York, to be United States District Judge for the Southern District of New York, James Rodney Gilstrap, of Texas, to be United States District Judge for the Eastern District of Texas, and Dana L. Christensen, of Montana, to be United States District Judge for the District of Montana, under the order of Friday, November 18, 2011. **Page S8159**

Nominations Received: Senate received the following nominations:

Marilyn B. Tavenner, of Virginia, to be Administrator of the Centers for Medicare and Medicaid Services.

A routine list in the Army. **Page S8159**

Nomination Withdrawn: Senate received notification of withdrawal of the following nomination:

Donald M. Berwick, of Massachusetts, to be Administrator of the Centers for Medicare and Medicaid Services, which was sent to the Senate on January 26, 2011. **Page S8159**

Messages from the House: **Page S8146**

Measures Placed on the Calendar: **Pages S8079, S8146**

Executive Communications: **Pages S8146–48**

Executive Reports of Committees: **Page S8148**

Additional Cosponsors: **Pages S8149–51**

Statements on Introduced Bills/Resolutions: **Pages S8151–57**

Additional Statements: **Pages S8144–45**

Amendments Submitted: **Page S8157**

Notices of Hearings/Meetings: **Page S8157**

Authorities for Committees to Meet: **Pages S8157–58**

Privileges of the Floor: **Page S8158**

Record Votes: Eight record votes were taken today. (Total—220) **Pages S8107–08, S8125–27, S8137, S8139**

Adjournment: Senate convened at 9:30 a.m. and adjourned at 9:52 p.m., until 2 p.m. on Monday, December 5, 2011. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S8159.)

Committee Meetings

(Committees not listed did not meet)

WALL STREET REFORM AND CONSUMER PROTECTION ACT OVERSIGHT

Committee on Agriculture, Nutrition, and Forestry: Committee concluded a hearing to examine continuing oversight of the "Wall Street Reform and Consumer Protection Act," after receiving testimony from Gary Gensler, Chairman, Commodity Futures Trading Commission; and Mary L. Schapiro, Chairman, U.S. Securities and Exchange Commission.

JOB GROWTH THROUGH CAPITAL FORMATION

Committee on Banking, Housing, and Urban Affairs: Committee concluded a hearing to examine spurring job growth through capital formation while protecting investors, including S. 1791, to amend the securities laws to provide for registration exemptions for certain crowdfunded securities, S. 1831, to direct the Securities and Exchange Commission to eliminate the prohibition against general solicitation as a requirement for a certain exemption under Regulation D, S. 1824, to amend the securities laws to establish certain thresholds for shareholder registration under that Act, S. 1544, to amend the Securities Act

of 1933 to require the Securities and Exchange Commission to exempt a certain class of securities from such Act, and H.R. 2930, to amend the securities laws to provide for registration exemptions for certain crowdfunded securities, after receiving testimony from Senators Hutchison, Pryor, and Brown (MA); Meredith B. Cross, Director, Division of Corporation Finance, United States Securities and Exchange Commission; Jack E. Herstein, Assistant Director, Nebraska Department of Banking and Finance, Bureau of Statistics, Washington, D.C., on behalf of the North American Securities Administrators Association, Inc.; John C. Coffee, Jr., Columbia University Law School, Scott Cutler, NYSE Euronext, and Edward S. Knight, NASDAQ OMX Group, all of New York, New York; and Christopher T. Gheysens, Wawa, Inc., Wawa, Pennsylvania.

IRAN

Committee on Foreign Relations: Committee concluded a hearing to examine United States strategic objectives towards Iran, after receiving testimony from Wendy Sherman, Under Secretary of State for Political Affairs; and David S. Cohen, Under Secretary of the Treasury for Terrorism and Financial Intelligence.

MEDICATING AMERICA'S FOSTER CHILDREN

Committee on Homeland Security and Governmental Affairs: Subcommittee on Federal Financial Management, Government Information, Federal Services, and International Security concluded a hearing to examine the financial and societal costs of medicating America's foster children, focusing on if the Department of Health and Human Services' guidance could help states improve oversight of psychotropic prescriptions, after receiving testimony from Gregory D. Kutz, Director, Forensic Audits and Investigative Service, Government Accountability Office; Bryan Samuels, Commissioner, Administration on Children, Youth and Families, Administration for Children and Families, Department of Health and Human Services; Matt Salo, National Association of Medicaid Directors (NAMD), Alexandria, Virginia; Jon McClellan, University of Washington, Seattle; and Ke'onte Cook, McKinney, Texas.

INSIDER TRADING AND CONGRESSIONAL ACCOUNTABILITY

Committee on Homeland Security and Governmental Affairs: Committee concluded a hearing to examine insider trading and congressional accountability, including S. 1871, to prohibit commodities and securities trading based on nonpublic information relating to Congress, to require additional reporting by Members and employees of Congress of securities transactions, and S. 1903, to prohibit commodities and securities trading based on nonpublic information relating to Congress, to require additional reporting by Members and employees of Congress of securities transactions, after receiving testimony from Senators Gillibrand and Brown (MA); Melanie Sloan, Citizens for Responsibility and Ethics in Washington, Donald C. Langevoort, Georgetown University Law Center, and Robert L. Walker, Wiley Rein LLP, all of Washington, D.C.; Donna M. Nagy, Indiana University Maurer School of Law, Bloomington; and John C. Coffee, Jr., Columbia University Law School, New York, New York.

ities trading based on nonpublic information relating to Congress, to require additional reporting by Members and employees of Congress of securities transactions, and S. 1903, to prohibit commodities and securities trading based on nonpublic information relating to Congress, to require additional reporting by Members and employees of Congress of securities transactions, after receiving testimony from Senators Gillibrand and Brown (MA); Melanie Sloan, Citizens for Responsibility and Ethics in Washington, Donald C. Langevoort, Georgetown University Law Center, and Robert L. Walker, Wiley Rein LLP, all of Washington, D.C.; Donna M. Nagy, Indiana University Maurer School of Law, Bloomington; and John C. Coffee, Jr., Columbia University Law School, New York, New York.

DEFICIT REDUCTION AND JOB CREATION

Committee on Indian Affairs: Committee concluded an oversight hearing to examine deficit reduction and job creation, focusing on regulatory reform in Indian country, including S. 1684, to amend the Indian Tribal Energy Development and Self-Determination Act of 2005, after receiving testimony from Doug O'Brien, Deputy Under Secretary of the Interior for Rural Development; Geoffrey C. Blackwell, Chief, Office of Native Affairs and Policy, Federal Communications Commission; Jefferson Keel, and Jacqueline Johnson-Pata, both of the National Congress of American Indians, Washington, D.C.; Ben Shelly, Navajo Nation, Window Rock, Arizona; Cedric Cromwell, Mashpee Wampanoag Tribe, Mashpee, Massachusetts; and Pearl E. Casias, Southern Ute Indian Tribe, Ignacio, Colorado.

BUSINESS MEETING

Committee on the Judiciary: Committee ordered favorably reported the following business items:

S. 1792, to clarify the authority of the United States Marshals Service to assist other Federal, State, and local law enforcement agencies in the investigation of cases involving sex offenders and missing children;

S. 671, to authorize the United States Marshals Service to issue administrative subpoenas in investigations relating to unregistered sex offenders, with an amendment in the nature of a substitute; and

The nominations of Jacqueline H. Nguyen, of California, to be United States Circuit Judge for the Ninth Circuit, Gregg Jeffrey Costa, to be United States District Judge for the Southern District of Texas, and David Campos Guaderrama, to be United States District Judge for the Western District of Texas.