

SENATE FLOOR PROCEEDINGS

WEDNESDAY, NOVEMBER 30, 2011

The Senate will convene at 10:00 AM on Wednesday, November 30, 2011. There will be a period of Morning Business for 30 minutes. At 10:30 AM, the Senate will resume consideration of S. 1867 (Department of Defense Authorization Bill) for 30 minutes of debate followed by a vote at 11:00 AM on the Motion to Invoke Cloture on the bill.

The Senate convened and proceeded to a period of Morning Business.

Reid Motion to Proceed to S. 1917 (To create jobs by providing payroll tax relief for middle class families and businesses). Reid Motion to Invoke Cloture on the Motion to Proceed. Reid withdraws the Motion to Proceed.

The Senate proceeded to a Legislative Session.

S. 1867 (Department of Defense Authorization Bill).

The following amendments were considered en bloc:

Wicker amend #1056 (To provide for the freedom of conscience of military chaplains with respect to the performance of marriages).

Ayotte amend #1066 (To modify the Financial Improvement and Audit Readiness Plan to provide that a complete and validated full statement of budget resources is ready by not later than September 30, 2014).

Inhoffe amend #1102 (To require a report on the feasibility of using unmanned aerial systems to perform airborne inspection of navigational aids in foreign airspace).

Wicker amend #1116 (To improve the transition of members of the Armed Forces with experience in the operation of certain motor vehicles into careers operating commercial motor vehicles in the private sector).

Shaheen amend #1122 (To authorize the acquisition of real property and associated real property interests in the vicinity of Hanover, New Hampshire, as may be needed for the Engineer Research and Development Center laboratory facilities at the Cold Regions Research and Engineering Laboratory).

Reid amend #1129 (To redesignate the Mike O'Callaghan Federal Hospital in Nevada as the Mike O'Callaghan Federal Medical Center).

Reid amend #1130 (To clarify certain provisions of the Clean Air Act relating to fire suppression agents).

McCain amend #1132 (To require a plan to ensure audit readiness statements of budgetary resources).

Blunt amend #1134 (To require a report on the policies and practices of the Navy for naming the vessels of the Navy).

Hagan amend #1143 (To require the Comptroller General to review medical research and development sponsored by the Department of Defense relating to improved combat casualty care and saving lives on the battlefield).

Begich amend #1149 (To authorize a land conveyance and exchange at Joint Base Elmendorf Richardson, Alaska), as modified.

Warner amend #1162 (To provide for the consideration of energy security and reliability in the development and implementation of energy performance goals).

Warner amend #1164 (To promote increased acquisition and procurement exchanges between officials in the Department of Defense and the defense officials in India).

Warner amend #1165 (To express the sense of Congress on the use of modeling and simulation in Department of Defense activities).

Warner amend #1166 (To express the sense of Congress on ties between the Joint Warfighting and Coalition Center and the Allied Command Transformation of NATO).

Warner amend #1167 (To require a report on the effects of planned reductions of personnel at the Joint Warfare Analysis Center on personnel skills at the Center), as modified.

Murray amend #1178 (To require a report on the authorities available to the Department of Defense for multiyear contracts for the purchase of advanced biofuels), as modified.

Collins amend #1180 (Relating to man-portable air-defense systems originating from Libya), as modified.

Sessions amend #1183 (To require the maintenance of a triad of strategic nuclear delivery systems), as modified.

Coburn amend #1207 (To require Comptroller General of the United States reports on the major automated information system programs of Department of Defense).

Nelson (FL) amend #1210 (To require an assessment of the advisability of stationing additional DDG-51 class destroyers at Naval Station Mayport, Florida).

McCain amend #1227 (To require a Comptroller General report on redundancies, inefficiencies, and gaps in DOD 6.1-6.3 Science and Technology (S&T) programs).

Casey amend #1215 (To require a certification on efforts by the Government of Pakistan to implement a strategy to counter improvised explosive devices), as modified.

McCain amend #1228 (To require a Comptroller General report on Science, Technology, Engineering and Math (STEM) initiatives).

Shaheen amend #1237 (To require a Department of Defense assessment of the industrial base for night vision image intensification sensors).

Warner amend #1240 (To provide for installation energy metering requirements).

McCain amend #1245 (To provide for increased efficiency and a reduction of Federal spending required for data servers and centers).

McCain amend #1250 (To require the Secretary of Defense to submit a report on the probationary period in the development of the short take-off, vertical landing variant of the Joint Strike Fighter).

Warner amend #1266 (To establish a training policy for Department of Defense energy managers).

Baucus amend #1276 (To require a pilot program on the receipt by members of the Armed Forces of civilian credentialing for skills required of military occupational specialties).

McCain amend #1280 (To require the Secretary of Defense to submit, with the budget justification materials supporting the Department of Defense budget request for fiscal year 2013, information on the implementation of recommendations made by the Government Accountability Office with respect to the acquisition of launch services through the Evolved Expendable Launch Vehicle program).

McCain amend #1281 (To require a plan for normalizing defense cooperation with the Republic of Georgia), as modified.

Webb amend #1298 (To extend the time limit for submittal of claims under TRICARE for care provided outside the United States).

Levin amend #1301 (To authorize the award of the distinguished service cross for Captain Fredrick L. Spaulding for acts of valor during the Vietnam War).

Levin amend #1303 (To authorize the exchange with the United Kingdom of certain F-35 Lightning II Joint Strike Fighter Aircraft).

Hatch amend #1315 (To require the Secretary of Defense to submit to Congress a long-term plan for maintaining a minimal capacity to produce intercontinental ballistic missile solid rocket motors).

Portman amend #1317 (To require a report on the analytic capabilities of the Department of Defense regarding foreign ballistic missile threats).

Cochran amend #1324 (To extend the authorization for a military construction project for the Air National Guard to relocate a munitions storage complex at Gulfport-Biloxi International Airport, Mississippi).

Risch amend #1326 (To require exploration of opportunities to increase foreign military training with allies at test and training ranges in the continental United States).

Lieberman amend #1332 (To require a report on the approval and implementation of the Air Sea Battle Concept).

Agreed to, en bloc, by Unanimous Consent.

S. 1867 (Department of Defense Authorization Bill). Motion to Invoke Cloture. Yeas and nays ordered. The Motion to Invoke Cloture was agreed to by a vote of 88-12.

Cardin amend #1073 (To prohibit expansion or operation of the District of Columbia National Guard Youth Challenge Program in Anne Arundel County, Maryland) is **withdrawn**.

McCain amend #1230 (Modify the annual adjustment in enrollment fees for TRICARE Prime) as modified is **withdrawn**.

Corker amend #1172 (To require a report outlining a plan to end reimbursements from the Coalition Support Fund to the Government of Pakistan for operations conducted in support of Operation Enduring Freedom) as modified. **Agreed to by voice vote.**

Merkley amend #1257 (To require a plan for the expedited transition of responsibility for military and security operations in Afghanistan to the Government of Afghanistan) as modified. **Agreed to by voice vote.**

McCain amend #1229 (To provide for greater cybersecurity collaboration between the Department of Defense and the Department of Homeland Security). **Agreed to by voice vote.**

Ayotte amend #1067 (To require notification of Congress with respect to the initial custody and further disposition of members of al-Qaeda and affiliated entities) is **withdrawn**.

At 5:45 PM the Senate will proceed to a period of Morning Business for one hour.

S. 1867 (Department of Defense Authorization Bill).

McCain amend #1246 (To establish a commission to study the United States Force Posture in East Asia and the Pacific region.) as modified. **Agreed to by voice vote.**

Sessions amend #1185 (To require a report on a missile defense site on the East Coast of the United States) as modified. **Agreed to by voice vote.**

Inhofe amend #1098 (To require a report on the impact of foreign boycotts on the defense industrial base). **Agreed to by voice vote.**

The following amendments were **withdrawn** en bloc:

Inhofe amend #1094 (To include the Department of Commerce in contract authority using competitive procedures but excluding particular sources for establishing certain research and development capabilities).

Inhofe amend #1095 (To express the sense of the Senate on the importance of addressing deficiencies in mental health counseling).

Inhofe amend #1096 (To express the sense of the Senate on treatment options for members of the Armed Forces and veterans for Traumatic Brain Injury and Post Traumatic Stress Disorder).

Inhofe amend #1101 (To strike section 156, relating to a transfer of Air Force C-12 aircraft to the Army).

The Senate proceeded with a period of Morning Business.

S. Res. 341 (National Christmas Tree Week). Agreed to by unanimous consent.

The following bills received their first reading en bloc:

S.J. Res. 30 (A joint resolution extending the cooling-off period under section 10 of the Railway Labor Act).

S.J. Res. 31 (A joint resolution applying certain conditions to the dispute referred to in Executive Order 13586 of October 2 through October 6, 2011).

S. Res. 32 (A joint resolution to provide for the resolution of the outstanding issues in the current railway labor management dispute).

S. 1930 (A bill to prohibit earmarks).

S. 1931 (A bill to provide civilian payroll tax relief to reduce the Federal budget deficit).

S. 1932 (A bill to require the Secretary of State to act on a permit for the Keystone X.L. pipeline).

The second readings of the bills were objected to en bloc.

The Senate will convene at 9:30 AM on Thursday, December 1, 2011 and will be in a period of Morning Business for 90 minutes. At 11:00 AM, the Senate will resume consideration of S. 1867 (Department of Defense Authorization Bill). The pending amendment will be Levin amend #1293 (To authorize the transfer of certain high-speed ferries to the Navy). Roll call votes are expected throughout the day but are currently not scheduled. Sen. Durbin announced the Senate expects to complete action on the Department of Defense Authorization bill during Thursday's session. Unless a unanimous consent agreement is reached, the cloture vote on the Motion to Proceed to S. 1917 (To create jobs by providing payroll tax relief for middle class families and businesses) will occur the morning of Friday, December 2, 2011.

The Senate adjourned at 7:40 PM.

SENATE FLOOR PROCEEDINGS

TUESDAY, NOVEMBER 29, 2011

The Senate will convene at 10:00 AM and will be in a period of Morning Business for one hour. The Senate will then proceed to a Legislative Session and resume consideration of S. 1867 (Department of Defense Authorization Bill). The Senate will recess from 12:30-2:15 PM for weekly party caucus luncheons. Roll call votes are expected throughout the day.

The Senate convened and proceeded with a period of Morning Business.

S. 1917 (A bill to create jobs by providing payroll tax relief for middle class families and businesses). The bill was read for the second time. Further consideration of the bill was objected to. The bill was placed on the calendar.

The Senate proceeded with a Legislative Session.

S. 1867 (Department of Defense Authorization Bill).

At 12:34 PM, the Senate recessed for Party Caucuses.

The Senate reconvened at 2:15 PM and resumed a Legislative Session.

S. 1867 (Department of Defense Authorization Bill).

Udall (CO) amend #1107 (To revise the provisions relating to detainee matters). Yeas and nays ordered. The amendment is not agreed to by a vote of 37-61.

McCain/Levin amend #1092 (Bolster the detection and avoidance of counterfeit electronic parts), as modified. Agreed to by unanimous consent.

Paul amend #1064 (Repeal the Authorization for the Use of Military Force against Iraq Resolution of 2002). The amendment is subject to a 60 yea vote threshold for passage. The amendment was not agreed to by a vote of 30-67.

Landrieu amend #1115 (Reauthorize and improve the SBIR and STTR programs, and for other purposes). The amendment was agreed to by a voice vote.

Brown amend #1260 (Strike section 846, relating to a waiver of "Buy American" requirements for procurement of components otherwise producible overseas with specialty metal not produced in the United States). Withdrawn

Brown amend #1262 (Clarify the meaning of "produced" for purposes of limitations on the procurement by the Department of Defense of specialty metals within the United States). Withdrawn.

Merkley amend #1174 (Express the sense of Congress regarding the expedited transition of responsibility for military and security operations in Afghanistan to the Government of Afghanistan). Laid aside.

S. Res. 337 (Designating Dec 7, 2011 as "Wreaths Across America Day"). Agreed to by unanimous consent.

The Senate proceeded to the consideration of the following resolutions en bloc:

S. Res. 339 (Authorize the production of documents). Agreed to by unanimous consent.

S. Res. 338 (Authorize the production of documents). Agreed to by unanimous consent.

The Senate will convene at 10:00 AM on Wednesday, November 30, 2011. There will be a period of Morning Business for 30 minutes. At 10:30 AM, the Senate will resume consideration of S. 1867 (Department of Defense Authorization Bill) for 30 minutes of debate followed by a vote at 11:00 AM on the Motion to Invoke Cloture on the bill.

The Senate adjourned at 7:36 PM.

SENATE FLOOR PROCEEDINGS

MONDAY, NOVEMBER 28, 2011

The Senate will convene at 1:00 PM and will resume consideration of S. 1867 (Department of Defense Authorization Bill). At 5:00 PM, the Senate will proceed with an Executive Session to consider Cal #270 (Christopher Droney to be US Circuit Judge for the Second Circuit) for 30 minutes of debate followed by a vote on the nomination at 5:30 PM.

The Senate convened and proceeded to a Legislative Session.

S. 1867 (Department of Defense Authorization Bill).

Reid Motion to Invoke Cloture on S. 1867 (Department of Defense Authorization Bill).

The Senate proceeded to an Executive Session.

Cal. #270 (Christopher Droney to be U.S. Circuit Judge for the Second Circuit). Yeas and nays ordered. The nomination was confirmed by a vote of **88-0**.

The Senate resumed a Legislative Session.

S. 1867 (Department of Defense Authorization Bill).

Menendez amend #1414 (To require the imposition of sanctions with respect to the financial sector of Iran, including the Central Bank of Iran). Laid aside.

Leahy amend #1072 (National Guard to join the Joint Chiefs of Staff). Agreed to by **Voice Vote**.

The Senate proceeded to a period of Morning Business.

S. 1917 (To create jobs by providing payroll tax relief for middle-class families and businesses). First reading. Second reading was objected to and the bill will be read for the second time on the next legislative day.

The Senate will convene at 10:00 AM on Tuesday, November 29, 2011 and will be in a period of Morning Business for one hour. The Senate will then proceed to a Legislative Session and resume consideration of S. 1867 (Department of Defense Authorization Bill). The Senate will

recess from 12:30-2:15 PM for weekly party caucus luncheons. Roll call votes are expected throughout the day.

The Senate adjourned at 7:30 PM.

SENATE FLOOR PROCEEDINGS

TUESDAY, NOVEMBER 22, 2011

The Senate will convene at 11:00 AM on Tuesday, November 22, 2011 for Pro Forma session only. The Senate will next convene at 10:30 AM on Friday, November 25, 2011 for a Pro Forma session only. At 1:00 PM on Monday, November 28, 2011, the Senate will convene and resume consideration of S. 1867 (Department of Defense Authorization Bill). At 5:00 PM, the Senate will proceed with an Executive Session to consider Cal #270 (Christopher Droney to be US Circuit Judge for the Second Circuit) for 30 minutes of debate followed by a vote on the nomination at 5:30 PM.

SENATE FLOOR PROCEEDINGS

FRIDAY, NOVEMBER 18, 2011

The Senate will convene at 9:00 AM and will resume consideration of S. 1867 (Department of Defense Authorization Bill). There will be no votes during Friday's session of the Senate. The next vote will occur on Monday, November 28, 2011 at approximately 5:30 PM.

The Senate convened and proceeded to a Legislative Session.

S. 1867 (Department of Defense Authorization Bill).

The following amendments were proposed en bloc:

Cornyn amend #1200 (To provide Taiwan with critically needed United States-built multirole fighter aircraft to strengthen its self-defense capability against the increasing military threat from China).

Ayotte amend #1066 (To modify the Financial Improvement and Audit Readiness Plan to provide that a complete and validated full statement of budget resources is ready by not later than September 30, 2014).

Ayotte amend #1067, as modified (To require notification of Congress with respect to the initial custody and further disposition of members of al-Qaeda and affiliated entities).

Ayotte amend #1068 (To authorize lawful interrogation methods in addition to those authorized by the Army Field Manual for the collection of foreign intelligence information through interrogations).

Brown (MA) amend #1089 (To require certain disclosures from post-secondary institutions that participate in tuition assistance programs of the Department of Defense).

Brown (MA) amend #1090 (To provide that the basic allowance for housing in effect for a member of the National Guard is not reduced when the member transitions between active duty and full-time National Guard duty without a break in active service).

Brown (MA) amend #1119 (To protect the child custody rights of members of the Armed Forces deployed in support of a contingency operation).

Wicker amend #1056 (To provide for the freedom of conscience of military chaplains with respect to the performance of marriages).

Wicker amend #1116 (To improve the transition of members of the Armed Forces with experience in the operation of certain motor vehicles into careers operating commercial motor vehicles in the private sector).

Laid aside, en bloc, by Unanimous Consent.

The following amendments were proposed en bloc:

Udall (NM) amend #1153 (To include ultralight vehicles in the definition of aircraft for purposes of the aviation smuggling provisions of the Tariff Act of 1930).

Udall (NM) amend #1154 (To direct the Secretary of Veterans Affairs to establish an open burn pit registry to ensure that members of the Armed Forces who may have been exposed to toxic chemicals and fumes caused by open burn pits while deployed to Afghanistan or Iraq receive information regarding such exposure).

Udall (NM) amend #1202 (To clarify the application of the provisions of the Buy American Act to the procurement of photovoltaic devices by the Department of Defense).

Laid aside, en bloc, by Unanimous Consent.

The following amendments were proposed en bloc:

Corker amend #1171 (To prohibit funding for any unit of a security force of Pakistan if there is credible evidence that the unit maintains connections with an organization known to conduct terrorist activities against the United States or United States allies).

Corker amend #1172 (To require a report outlining a plan to end reimbursements from the Coalition Support Fund to the Government of Pakistan for operations conducted in support of Operation Enduring Freedom).

Corker amend #1173 (To express the sense of the Senate on the North Atlantic Treaty Organization).

Laid aside, en bloc, by Unanimous Consent.

The following amendments were proposed en bloc:

Bingaman amend #1117 (provide for national security benefits for White Sands Missile Range and Fort Bliss).

Gillibrand amend #1187 (To expedite the hiring authority for the defense information technology/cyber workforce).

Gillibrand amend #1211 (To authorize the Secretary of Defense to provide assistance to State national Guards to provide counseling and reintegration services for members of reserve components of the Armed Forces ordered to active duty in support of a contingency operation, members returning from such active duty, veterans of the Armed Forces and their families).

Laid aside, en bloc, by Unanimous Consent.

The following amendments were proposed en bloc:

Merkley amend #1239 (To expand the Marine Gunnery Sergeant John David Fry scholarship to include spouses of members of the Armed Forces who die in the line of duty).

Merkley amend #1256 (To require a plan for the expedited transition of responsibility for military security operations).

Merkley amend #1257 (To require a plan for the expedited transition of responsibility for military and security operations in Afghanistan to the Government of Afghanistan).

Merkley amend #1258 (To require the timely identification of qualified census tracts for purposes of the HUBZone program).

Laid aside, en bloc, by Unanimous Consent.

The following amendments were proposed en bloc:

Leahy amend #1087 (Improve the provisions relating to the treatment of certain national security information under the Freedom of Information Act). Laid aside.

Leahy amend #1186 (Provide Department of Defense with the necessary tools to fight fraud by reforming the working capital fund).

Laid aside, en bloc, by Unanimous Consent.

The following amendments were proposed en bloc:

Kerry amend #1176 (To make permanent certain provisions providing enhanced protections for service members relating to mortgages and mortgage foreclosure).

Wyden amend #1160 (To provide for the closure of the Umatilla Army Chemical Depot, Oregon).

Wyden amend #1253 (To provide for the retention of members of the reserve components on active duty for a period of 45 days following an extended deployment in contingency operations or homeland defense missions to support their reintegration into civilian life).

Laid aside, en bloc, by Unanimous Consent.

The following amendments were proposed en bloc:

Graham amend #1179 (To specify the number of judge advocates of the Air Force in the regular grade of brigadier general).

Heller amend #1137 (To provide for the recognition of Jerusalem as the capital of Israel and the relocation to Jerusalem of the United States Embassy in Israel).

Heller amend #1138 (To provide for the exhumation and transfer of remains of deceased members of the Armed Forces buried in Tripoli, Libya).

McCain amend #1247 (Restrict the authority of the Secretary of Defense to develop public infrastructure on Guam).

McCain amend #1246 (To establish a commission to study the United States Force Posture in East Asia).

McCain amend #1229 (Provide for greater cyber-security collaboration between the Department of Homeland Security and the Department of Defense).

McCain amend #1230 (To modify the annual adjustment in enrollment fees for TRICARE Prime) as modified.

McCain amend #1249 (To limit the use of cost-type contracts by DOD for major defense acquisition programs).

McCain amend #1071 (To require the Secretary of Defense to report on all information with respect to the Evolved Expendable Launch Vehicle program).

McCain amend #1220 (To require the Comptroller General of the United States reports on the implementation of justification and approval requirements for certain sole-source contracts).

McCain amend #1132 (To require a plan to ensure audit readiness of statements of budgetary resources).

McCain amend #1248 (To expand the authority for the overhaul and repair of vessels to the United States, Guam, and the Commonwealth of the Northern Mariana Islands).

McCain amend #1250 (To require the Secretary of Defense to submit a report on the probationary period in the development of the short-take off, vertical landing variant of the Joint Strike Fighter).

McCain amend #1118 (Modify the availability of surcharges collected by commissary stores).

Laid aside, en bloc, by Unanimous Consent.

The following amendments were proposed en bloc:

Sessions amend #1182 (To prohibit the permanent stationing of more than two Army Brigade Combat Teams within the geographic boundaries of the United States European Command).

Sessions amend #1183 (To require the maintenance of a triad of strategic nuclear delivery systems).

Sessions amend #1184 (To limit any reduction in the number of surface combatants of the Navy below 313 vessels).

Sessions amend #1185 (To require a report on a missile defense site on the East Coast of the United States).

Sessions amend #1274 (To clarify under the disposition under the law of war of persons detained by the Armed Forces of the United States).

Laid aside, en bloc, by Unanimous Consent.

The following amendments were proposed en bloc:

Reed amend #1146 (To provide for the participation of military technicians (dual status) in the study on the termination of military technician as a distinct personnel management category).

Reed amend #1147 (To prohibit the repayment of enlistment or related bonuses by certain individuals who become employed as military technicians (dual status) while already a member of a reserve component).

Reed amend #1148 (To provide rights of grievance, arbitration, appeal, and review beyond the adjutant general for military technicians).

Reed amend #1204 (To authorize a pilot program on enhancements of Department of Defense efforts on mental health in the National Guard and Reserves through community partnerships).

Reed amend #1294 (To enhance consumer credit protections for members of the Armed Forces and their dependents).

Levin amend #1293 (To authorize the transfer of certain high-speed ferries to the Navy).

Boxer amend #1206 (To implement common sense controls on the tax-payer-funded salaries of defense contractors).

Menendez amend #1292 (To require the President to impose sanctions with respect to the Central Bank of Iran if the President determines that the Central Bank of Iran has engaged in conduct that threatens the national security of the United States or allies of the United States).

Laid aside, en bloc, by Unanimous Consent.

Chambliss amend #1304 (To require a report on the reorganization of the Air Force Material Command). Laid aside.

The following amendments were proposed en bloc:

Brown (OH) amend #1259 (Link domestic manufacturers to defense supply chain opportunities).

Brown (OH) amend #1260 (Strike section 846, relating to the waiver of “Buy American” requirements for procurement of components otherwise producible overseas with specialty metal not produced in the US).

Brown (OH) amend #1261 (Extend treatment of base closure areas as HUBZones for purposes of the Small Business Act).

Brown (OH) amend #1262 (Clarify the meaning of “produced” for purposes of limitations on the procurement by the DoD of specialty metals within the US).

Brown (OH) amend #1263 (Authorize the conveyance of the John Kunkel Army Reserve Center, Warren, Ohio).

Leahy amend #1080 (Clarify the applicability of requirements for military custody with respect to detainees).

Wyden amend #1296 (Require reports on the use of indemnification agreements in DoD contracts).

Pryor amend #1151 (Authorize a death gratuity and related benefits for Reserves who die during an authorized stay at their residence during or between successive days of inactive duty training).

Pryor amend #1152 (Recognize the service in the reserve components of the Armed Forces of certain persons by honoring them with status as veterans under law).

Nelson (FL) amend #1209 (Repeal the requirement for reduction of survivor annuities under the Survivor Benefit Plan by veterans’ dependency and indemnity compensation).

Nelson (FL) amend #1210 (Require an assessment of the advisability of stationing additional DDG-51 class destroyers at Naval Station Mayport, Florida).

Nelson (FL) amend #1236 (Require a report on the effects of changing flag officer positions within the Air Force Material Command).

Nelson (FL) amend #1255 (Require an epidemiological study on the health of military personnel exposed to burn pit emissions at Joint Base Balad).

Laid aside, en bloc, by Unanimous Consent.

The following amendments were proposed en bloc:

McCain amend #1281 (To require a plan for normalizing defense cooperation with the Republic of Georgia).

Blunt amend #1133 (To provide for employment and reemployment rights for certain individuals ordered to full-time National Guard duty).

Blunt amend #1134 (Require a report on the policies and practices of the navy for naming the vessels of the Navy).

Murkowski amend #1286 (Require the DoD Inspector General report on theft of computer tapes containing protracted information on covered beneficiaries under the TRICARE Program).

Murkowski amend #1287 (To provide limitations on the retirement of C-23 aircraft).

Rubio amend #1290 (Strike the national security waiver authority in section 1032, relating to requirements for military custody).

Rubio amend #1291 (Strike the national security waiver authority in section 1033, relating to requirements for certifications relating to the transfer of detainees at US Naval Station, Guantanamo Bay, Cuba, to foreign countries and entities).

Laid aside, en bloc, by Unanimous Consent.

The following amendments were considered en bloc:

McCain amend #1071 ()

Roberts amend #1086 (Authorize and request the President to award the Medal of Honor posthumously to Captain Emil Kapaun of the US Army for acts of valor during the Korean War).

McCain amend #1106 (Require a report on the status of the implementation of accepted recommendations in the Final Report of the 2010 Army Acquisition Review panel).

Casey amend #1140 (To require a report by the Comptroller General on Department of Defense military spouse employment programs).

Levin amend #1219 (Provide authority to order Army Reserve, Navy Reserve, Marine Corps Reserve, and Air Force Reserve to active duty to provide assistance in response to a major disaster or emergency).

The amendments were agreed to, en bloc, by Unanimous Consent.

The Senate proceeded to a period of Morning Business.

At 3:07 PM, the Senate recessed Subject to the Call of the Chair.

At 3:47 PM, the Senate reconvened and proceeded with a period of Morning Business.

The Senate proceeded with an Executive Session to consider the following nominations en bloc:

Cal. #436 (Winslow Sargeant to be Chief Counsel for Advocacy, Small Business Administration). Confirmed by unanimous consent.

Cl. #445 (Catherine Easterly to be an Associate Judge of the District of Columbia Court of Appeals for the term of fifteen years). Confirmed by unanimous consent.

Cal. #446 (Corinne Beckwith to be an Associate Judge of the District of Columbia Court of Appeals for the term of fifteen years). Confirmed by unanimous consent.

Cal. #447 (Ernest Mitchell to be Administrator of the US Fire Administration of the US Fire Administration). Confirmed by unanimous consent.

Cal. #448 (Ronald McCray to be a Member of the Federal Retirement Thrift Investment Board for a term expiring September 25, 2012). Confirmed by unanimous consent.

Cal. #449 (Ronald McCray to be a Member of the Federal Retirement Thrift Investment Board for a term expiring Sept. 25, 2016). Confirmed by unanimous consent.

Cal. #451 (Claude Steele to be a Member of the National Science Board). Confirmed by unanimous consent.

Cal. #452 (Anneila Sargent to be a Member of the National Science Board) Confirmed by unanimous consent.

Cal. #453 (Dana Bilyeu to be a Member of the Federal Retirement Thrift Investment board). Confirmed by unanimous consent.

Cal. #454 (Cyrus Amir-Mokri to be a Member of the Board of Directors of the National Consumer Cooperative Bank). Confirmed by unanimous consent.

Cal. #455 (Michael Khouri to be a Federal Maritime Commissioner). Confirmed by unanimous consent.

Cal. #457 (Robert Sumwalt to be a Member of the national Transportation Safety Board). Confirmed by unanimous consent.

Cal. #466 (David Montoya to be Inspector General, Dept. of HUD). Confirmed by unanimous consent.

Cal. #467 (John McCabe to be an Associate Judge of the Superior Court of the District of Columbia). Confirmed by unanimous consent.

Cal #468 (Peter Krauthamer to be an Associate Judge of the Superior Court of the District of Columbia). Confirmed by unanimous consent.

Cal. #469 (Danya Dayson to be an Associate Judge of the Superior Court of the District of Columbia). Confirmed by unanimous consent.

Cal. #470 (Nancy Ware to be Director of the Court Services and Offender Supervision Agency for the District of Columbia). Confirmed by unanimous consent.

Cal #471 (Michael Hughes to be US Marshal for the Superior Court of the District of Columbia). Confirmed by unanimous consent.

Cal. #498 (David Jones to be Member o the Federal Retirement Thrift Investment board). Confirmed by unanimous consent.

The Senate resumed a Legislative Session.

S. 1541 (Revise the Federal Charter for the Blue Stars Mothers of American Incorporated to change eligibility requirements for membership). Agreed to by unanimous consent.

S. Res. 335 (Honoring the life and legacy of Evelyn H. Lauder). Agreed to by unanimous consent.

S. Res. 336 (Permit the collection of toys and house wares in Senate Office Buildings for charitable purposes). Agreed to by unanimous consent.

Sen. Reid received unanimous consent to consider the following nominations at a later date, in consultation with the Republican Leader:

Cal. #363 (Edgardo Ramos to be US District Judge for the Southern District of New York).

Cal. #364 (Andrew Carter to be US District Judge for he Southern district of New York).

Cal. #365 (James Gilstrap to be US District Judge for the Eastern District of Texas).

Once a time is selected, the Senate will debate the nominations simultaneously for one hour followed by votes on the three nominations.

The Senate will convene at 11:00 AM on Tuesday, November 22, 2011 for Pro Forma session only. The Senate will next convene at 10:30 AM on Friday, November 25, 2011 for a Pro Forma session only. At 1:00 PM on Monday, November 28, 2011, the Senate will convene and resume consideration of S. 1867 (Department of Defense Authorization Bill). At 5:00 PM, the Senate will proceed with an Executive Session to consider Cal #270 (Christopher Droney to be US Circuit Judge for the Second Circuit) for 30 minutes of debate followed by a vote on the nomination at 5:30 PM.

The Senate adjourned at 3:54 PM.

SENATE FLOOR PROCEEDINGS

THURSDAY, NOVEMBER 17, 2011

The Senate will convene at 10:00 AM and will be in a period of Morning Business for one hour. The Senate will then proceed to a Legislative Session and proceed to S. 1867 (Department of Defense Authorization Bill). The Senate expects to receive from the House today the Conference Report which will contain the Continuing Resolution. Votes are expected, but none are scheduled at this time.

The Senate convened and proceeded to a period of Morning Business.

The Senate proceeded to a Legislative Session.

S. 1867 (Department of Defense Authorization Bill).

McConnell for Kirk amend #1084 (Require the President to impose sanctions on foreign financial institutions that conduct transactions with the Central Bank of Iran). Laid aside.

Levin amend #1092 (Bolster the detection and avoidance of counterfeit electronic parts). Laid aside.

Ayotte amend #1065 (Relating to the force structure for strategic airlift aircraft). Agreed to by voice vote.

Cal. #403 (Kenneth Kopicis to be an Assistant Administrator of the EPA). Sen. Cardin Motion to agree to the nomination was objected to by Sen. Barrasso.

S. 1867 (Department of Defense Authorization Bill).

Leahy amend #1072 (To enhance the national defense through empowerment of the National Guard, enhancement of the functions of the National Guard Bureau, and improvement of Federal-State military coordination in domestic emergency response).

Paul amend #1064 (To repeal the Authorization for Use of Military Force Against Iraq Resolution of 2002). Laid aside.

Merkley amend #1174 (To express the sense of Congress regarding the expedited transition of responsibility for military and security operations in Afghanistan to the Government of Afghanistan). Laid aside.

Reid made a motion to proceed to the consideration of the Conference Report to accompany H.R. 2112 (Consolidated and Further Continuing Appropriations Act, 2012), that there be 90 minutes of debate prior to a vote on adoption of the Conference Report. The vote on adoption of the Conference Report will be subject to a 60-yea vote threshold. The motion was agreed to. The vote will occur between 6:30 - 7:00 PM.

Conference Report to accompany H.R. 2112 (Agriculture, Commerce, Justice, THUD and Further Continuing Appropriations Act, 2012). The Conference Report is subject to a 60-yea vote threshold. Yeas and nays ordered. The Conference Report was adopted by a vote of 70-30.

S. 1867 (Department of Defense Authorization Bill).

Feinstein amend #1125 (Clarify the applicability of requirements for military custody with respect to detainees). Laid aside.

Feinstein amend #1126 limit authority of the Armed Forces to detain citizens of the US under Section 1031). Laid aside.

Udall amend #1127 (To revise the provisions relating to detainee matters). Laid aside.

Cardin amend #1073 (To prohibit expansion or operation of the DC National Guard Youth Challenge Program). Laid aside.

Franken amend #1197 (To require contractors to make timely payments to subcontractors that are small business concerns). Laid aside.

Cardin amend #1188 (Expand Operation Hero Miles program). Agreed to by voice vote.

Begich amend #1114 (To authorize space-available travel on military aircraft for members of the reserve components). Laid aside.

Begich 1149 (Authorize a land conveyance and exchange at Joint Base Elmendorf Richardson, Alaska). Laid aside.

Shaheen 1120 (To exclude cases in which pregnancy is the result of an act of rape or incest from the prohibition of funding of abortions by the DOD). Laid aside.

Inhofe amend #1093 (Require detention at Guantanamo Bay of high-value combatants). Laid aside.

Inhofe amend #1094 (Include Department of Commerce in contract authority using competitive procedures). Laid aside.

Inhofe amend #1095 (Sense of the Senate on the importance of addressing deficiencies in mental health counseling). Laid aside.

Inhofe amend #1096 (Sense of the Senate on treatment options for members of the Armed Forces and Veterans for Traumatic Brain Injury and Post Traumatic Stress Disorder). Laid aside.

Inhofe amend #1097 (Eliminate gaps between the over 200 programs within the DOD that address psychological health and traumatic brain injuries). Laid aside.

Inhofe amend #1099 (Sense of Congress that Sec. of Defense should implement recommendations of Comptroller General of the US regarding prevention and data collection to address hearing injuries among members of the Armed Forces). Laid aside.

Inhofe amend #1100 (Extend products from Latvia existing temporary authority). Laid aside.

Inhofe amend #1101 (Relating to transfer of Air Force C-12 aircraft to the Army). Laid aside.

Inhofe amend #1102 (Require a report on the feasibility of using unmanned aerial systems to perform airborne inspection of navigational aids). Laid aside.

Collins amend #1180 (Relating to man-portable air-defense systems originating from Libya). Laid aside.

Collins amend #1158 (To clarify the permanence of the prohibition on transfers of recidivist detainees at US Naval Station, Guantanamo Bay, Cuba, to foreign countries). Laid aside.

Casey amend #1139 (Require contractors to notify small businesses concerns that have been included in offers relating to contracts let by Federal agencies). Laid aside.

Casey amend #1140 (DOD military spouse employment programs). Laid aside.

The Senate proceeded with a period of Morning Business.

H.R 1059 (To protect the safety of judges by extending the authority of the Judicial Conference to redact sensitive information contained in their financial disclosure reports). Agreed to by voice vote.

H.R. 2056 (An act to instruct the Inspector General of the Federal Deposit Insurance Corporation to study the impact of insured depository institution failures). Agreed to by voice vote.

H.R. 3321 (An act to facilitate the hosting in the United States of the 34th America's Cup). Agreed to by voice vote.

S. 99. (A bill to promote the production of Melitonin 99). Agreed to by voice vote.

S. Res. 332 (A resolution supporting the goals and ideals of American Education Week).

S. Res. 333 (Welcoming and commending the government of Japan for extending an official apology to the United States former prisoners of war for the Pacific War). Agreed to by voice vote.

The Senate will convene at 9:00 AM on Friday, November 18, 2011, and will resume consideration of S. 1867 (Department of Defense Authorization Bill). There will be no votes during Friday's session of the Senate. The next vote will occur on Monday, November 28, 2011 at approximately 5:30 PM.

The Senate adjourned at 8:30 PM.

SENATE FLOOR PROCEEDINGS

WEDNESDAY, NOVEMBER 16, 2011

The Senate will convene at 10:00 AM and will be in a period of Morning Business for one hour. The Senate will then resume consideration of H. R. 2354 (Energy and Water Appropriations Bill). No votes are currently scheduled.

The Senate convened and proceeded with a period of Morning Business.

The Senate proceeded with a Legislative Session.

H.R. 2354 (Energy and Water Appropriations bill).

Reid amend #957 (Substitute amendment).

Reid amend #958 (Of a perfecting nature). Yeas and nays ordered.

Reid 2nd degree amend #959 (Of a perfecting nature) to Reid amend #958 (Of a perfecting nature).

Reid amend #960 (Of a perfecting nature) to the language proposed to be stricken to amend #957 (Of a perfecting nature). Yeas and nays ordered.

Reid 2nd degree amend #961 (Of a perfecting nature) to 960 (Of a perfecting nature).

Reid Motion to Recommit the bill to the Committee on Appropriations and report back with an amend #962 (Of a perfecting nature). Yeas and nays ordered.

Reid amend #963 (Of a perfecting nature) to the instructions of amend #962 (Of a perfecting nature). Yeas and nays ordered.

Reid 2nd degree amend #964 (Of a perfecting nature) to amend #963 (Of a perfecting nature).

The Senate proceeded to a period of Morning Business.

S. Res. 302 (National Adoption Day and National Adoption Month). Agreed to by Unanimous Consent.

S. Res. 324 (60th Anniversary of the United States/Australia Alliance). Agreed to by Unanimous Consent.

S. Res. 296 (50th Anniversary of the Combined Federal Campaign). Agreed to by Unanimous Consent.

S. Res. 251 (Expressing support for improvement in the collection, processing, and consumption of recyclable materials throughout the United States). Agreed to by Unanimous Consent.

S. Res. 303 (Honoring the life, service and sacrifice of Capt. Colin P. Kelly Jr., United States Army). Nelson amendment agreed to by Unanimous Consent. Agreed to by Unanimous Consent.

The following resolutions were considered en bloc:

S. Res. 326 (A resolution designating Thursday, November 17, 2011, as "Feed America Day").

S. Res. 327 (A resolution supporting the goals and ideals of American Diabetes Month).

S. Res. 328 (A resolution designating the week of November 14 through 20, 2011, as "Global Entrepreneurship Week/USA").

S. Res. 329 (A resolution recognizing National Native American Heritage Month and celebrating the heritages and cultures of Native Americans and the contributions of Native Americans to the United States).

S. Res. 330 (A resolution designating January 27, 2012, as a national day of remembrance of Americans who, during the Cold War, worked and lived downwind from nuclear testing sites and were adversely affected by the radiation exposure generated by the above ground nuclear weapons testing).

Agreed to, en bloc, by Unanimous Consent.

The Senate will convene at 10:00 AM on Thursday, November 17, 2011 and will be in a period of Morning Business for one hour. The Senate will then proceed to a Legislative Session and proceed to S. 1867 (Department of Defense Authorization Bill). The Senate expects to receive from the House tomorrow the Conference Report which will contain the Continuing Resolution. Votes are expected tomorrow, but none are scheduled at this time.

The Senate adjourned at 6:51 PM.

SENATE FLOOR PROCEEDINGS

TUESDAY, NOVEMBER 15, 2011

The Senate will convene at 10:00 AM on Tuesday, November 15, 2011 and will be in a period of Morning Business for one hour. At 11:00 AM, the Senate will proceed to an Executive Session to consider the following nominations:

Cal. #354 (Sharon Gleason to be U.S. District Judge for the District of Alaska).

Cal. #355 (Yvonne Rogers to be U.S. District Judge for the Northern District of California).

There will be one hour of concurrent debate prior to two roll call votes on confirmation of the nominations at 12:00 Noon. Following the votes the Senate will recess for the weekly party caucus lunches. At 2:15 PM the Senate will proceed to a Legislative Session and will resume consideration of H.R. 2354 (Legislative vehicle for Energy and Water, Financial Services and State and Foreign Operations Appropriations bills).

The Senate convened and proceeded to a period of Morning Business.

The Senate proceeded to an Executive Session.

Cal. #354 (Sharon Gleason to be U.S. District Judge for the District of Alaska). Yeas and nays ordered. The nomination was confirmed by a vote of 87-8.

Cal. #355 (Yvonne Rogers to be U.S. District Judge for the Northern District of California). Yeas and nays ordered. The nomination was confirmed by a vote of 89-6.

The Senate recessed from 12:48-3:00 PM for weekly party caucus luncheons.

The Senate convened at 3:00 PM and proceeded to a Legislative Session.

H.R. 2354 (Energy and Water Appropriations bill).

Committee-reported substitute amendment is withdrawn by Unanimous Consent.

Reid amend #956 (Substitute amendment). Menendez raised a Rule 16 Point of Order. The Point of Order is well taken and the amendment falls.

Reid amend #957 (Substitute amendment). Reid asked Unanimous Consent that the amendment which consists of the text of the withdrawn Committee amendment, the text of S. 1573 with the exceptions of Sections 620 and 624, Cal. #171 as Division B and the text of S. 1601, cal. #179 as Division C, provided further that H.R. 2434 as reported by the House Appropriations Committee

and Division C of amend #957 be deemed House-passed text in H.R. 2354 for the purposes of Rule 16 and that finally, amend #957 for the purposes of Paragraph 1 of Rule 16 be considered a Committee amendment. Objected to by Sen. Moran. Yeas and nays ordered on the underlying amendment #957 only.

Reid amend #958 (Of a perfecting nature). Yeas and nays ordered.

Reid 2nd degree amend #959 (Of a perfecting nature) to Reid amend #958 (Of a perfecting nature).

Reid amend #960 (Of a perfecting nature) to the language proposed to be stricken to amend #957 (Of a perfecting nature). Yeas and nays ordered.

Reid 2nd degree amend #961 (Of a perfecting nature) to 960 (Of a perfecting nature).

Reid Motion to Recommit the bill to the Committee on Appropriations and report back with an amend #962 (Of a perfecting nature). Yeas and nays ordered.

Reid amend #963 (Of a perfecting nature) to the instructions of amend #962 (Of a perfecting nature). Yeas and nays ordered.

Reid 2nd degree amend #964 (Of a perfecting nature) to amend #963 (Of a perfecting nature).

S Res. 241 (Recognizing November 16, 2011 as “National Information and Referral Services Day”). Agreed to by unanimous consent.

S. Res. 323 (Recognizing the 75th Anniversary of the welfare programs of the Church of Jesus Christ of Latter Day Saints). Agreed to by unanimous consent.

The Senate will convene at 10:00 AM on Wednesday, November 16 2011. There will be a period of Morning Business for one hour. The Senate will then resume consideration of H. R. 2354 (Energy and Water Appropriations Bill). No votes are currently scheduled.

The Senate adjourned at 7:00 PM.

SENATE FLOOR PROCEEDINGS

MONDAY, NOVEMBER 14, 2011

The Senate will convene at 2:00 PM on Monday, November 14, 2011 and will be in a period of Morning Business until 3:00 PM. The Senate will then proceed to consideration of H.R. 2354 (Legislative vehicle for Energy and Water, Financial Services and State and Foreign Operations Appropriations bills). There will be no roll call votes on Monday. On Tuesday, November 15, 2011, there will be two roll call votes at approximately 12:00 Noon on the following nominations:

Cal. #354 (Sharon Gleason to be U.S. District Judge for the District of Alaska).

Cal. #355 (Yvonne Rogers to be U.S. District Judge for the Northern District of California).

The Senate convened and proceeded to a period of Morning Business.

The Senate proceeded to a Legislative Session.

H.R. 2354 (Legislative vehicle for Energy and Water, Financial Services and State and Foreign Operations Appropriations bills).

The Senate proceeded to an Executive Session and confirmed the following nominations on the Secretary's Desk en bloc by voice vote:

PN635 COAST GUARD nomination of Walter L. Ouzts, Jr., which was received by the Senate and appeared in the Congressional Record of June 7, 2011.

PN749 COAST GUARD nomination of Kathleen A. Duignan, which was received by the Senate and appeared in the Congressional Record of July 5, 2011.

PN1021 COAST GUARD nomination of Gregory L. Parsons, which was received by the Senate and appeared in the Congressional Record of October 11, 2011.

PN1022 COAST GUARD nominations (17) beginning Michael B. Bee, and ending James W. Whitley, which nominations were received by the Senate and appeared in the Congressional Record of October 11, 2011.

PN1023 COAST GUARD nominations (78) beginning Paul Albertson, and ending Michael L. Woolard, which nominations were received by the Senate and appeared in the Congressional Record of October 11, 2011.

PN1024 COAST GUARD nominations (143) beginning Ricardo M. Alonso, and ending Torrence B. Wilson, which nominations were received by the Senate and appeared in the Congressional Record of October 11, 2011.

PN1041 COAST GUARD nomination of Kenneth W. Megan, which was received by the Senate and appeared in the Congressional Record of October 12, 2011.

PN1042 COAST GUARD nomination of Jennifer A. Ketchum, which was received by the Senate and appeared in the Congressional Record of October 12, 2011.

PN1069 COAST GUARD nominations (290) beginning Alonzo D. Alday, and ending Peter J. Zauner, which nominations were received by the Senate and appeared in the Congressional Record of October 31, 2011.

The Senate resumed a Legislative Session.

S. Res. 199 (Cohn's Disease and Colitis Awareness Week). Agreed to by unanimous consent.

S. Res. 322 (COPD Awareness Month). Agreed to by unanimous consent.

The Senate proceeded to an Executive Session and removed the injunction of secrecy from the following transmittal to the Senate on November 14 of this year by the President of the United States:

Treaty Doc. #112-4 (Agreement on ports, measures to prevent terror, eliminate illegal unreported fishing). The treaty was considered as having been read the first time.

The Senate resumed a Legislative Session.

The Senate will convene at 10:00 AM on Tuesday, November 15, 2011 and will be in a period of Morning Business for one hour. At 11:00 AM, the Senate will proceed to an Executive Session to consider the following nominations:

Cal. #354 (Sharon Gleason to be U.S. District Judge for the District of Alaska).

Cal. #355 (Yvonne Rogers to be U.S. District Judge for the Northern District of California).

There will be one hour of concurrent debate prior to two roll call votes on confirmation of the nominations at 12:00 Noon. Following the votes the Senate will recess for the weekly party caucus lunches. At 2:15 PM the Senate will proceed to a Legislative Session and will resume consideration of H.R. 2354 (Legislative vehicle for Energy and Water, Financial Services and State and Foreign Operations Appropriations bills).

The Senate adjourned at 5:00 PM.

SENATE FLOOR PROCEEDINGS

THURSDAY, NOVEMBER 10, 2011

The Senate will convene at 9:30 AM and will be in a period of Morning Business for 30 minutes. At 10:00 AM, the Senate will proceed to the consideration of the Motion to Proceed to S. J. Res. 27 (A joint resolution disapproving a rule submitted by the Environmental Protection Agency relating to the mitigation by States of cross-border air pollution under the Clean Air Act) with two hours of debate. At 12:00 Noon, the Senate will resume consideration of the Motion to Proceed to S. J. Res. 6 (A joint resolution disapproving the rule submitted by the Federal Communications Commission with respect to regulating the Internet and broadband industry practices) for five minutes of debate followed by a vote on the Motion to Proceed to S. J. Res. 6. Upon conclusion of that vote, the Senate will proceed to a vote on the Motion to Proceed to S. J. Res. 27 (A joint resolution disapproving a rule submitted by the Environmental Protection Agency relating to the mitigation by States of cross-border air pollution under the Clean Air Act). **Please note that if either of the previous two votes on the Motions to Proceed (S. J. Res. 6 and S. J. Res. 27) is successful, consideration will be postponed until 2:15 PM on Tuesday, November 15, 2011.** At 1:30 PM, the Senate will resume consideration of H. R. 674 (To amend the Internal Revenue Code of 1986 to repeal imposition of 3% withholding on certain payments made to vendors by government entities, to modify the calculation of modified adjusted gross income for purposes of determining eligibility for certain healthcare-related programs). At approximately 1:45 PM, the Senate will proceed to four votes on the following: McCain 2nd Degree amend #928 (Text of S. 1720 - Jobs Through Growth Act) with a 60 yea vote threshold, Tester amend #927 (Regarding the VOW to Hire Heroes Act) with a 60 yea vote threshold, final Passage of H. R. 674 (To amend the Internal Revenue Code of 1986 to repeal imposition of 3% withholding on certain payments made to vendors by government entities, to modify the calculation of modified adjusted gross income for purposes of determining eligibility for certain healthcare-related programs), and finally the Motion to Invoke Cloture on the Motion to Proceed to H. R. 2354 (Legislative vehicle for Energy and Water, Financial Services and State and Foreign Operations Appropriations bills).

The Senate convened and proceeded with a period of Morning Business.

The Senate proceeded with a Legislative Session.

Motion to Proceed to S. J. Res. 27 (A joint resolution disapproving a rule submitted by the Environmental Protection Agency relating to the mitigation by States of cross-border air pollution under the Clean Air Act). There will be two hours of debate. Upon conclusion, the Motion to Proceed will be laid aside.

At approximately 12:00 Noon, the Senate will proceed to two roll call votes on the following:

1. **Motion to Proceed to S. J. Res. 6 (A joint resolution disapproving the rule submitted by the Federal Communications Commission with respect to regulating the Internet and broadband industry practices).**
2. **Motion to Proceed to S. J. Res. 27 (A joint resolution disapproving a rule submitted by the Environmental Protection Agency relating to the mitigation by States of cross-border air pollution under the Clean Air Act).**

At 1:30 PM, the Senate will proceed to the following bill for fifteen minutes of debate:

H. R. 674 (To amend the Internal Revenue Code of 1986 to repeal imposition of 3% withholding on certain payments made to vendors by government entities, to modify the calculation of modified adjusted gross income for purposes of determining eligibility for certain healthcare-related programs).

At approximately 1:45 PM, the Senate will proceed to a series of four votes on the following:

1. McCain 2nd Degree amend #928 (Text of S. 1720 - Jobs Through Growth Act). The amendment is subject to a 60 yea vote threshold.
2. Tester amend #927 (Regarding the VOW to Hire Heroes Act). The amendment is subject to a 60 yea vote threshold.
3. **H. R. 674 (To amend the Internal Revenue Code of 1986 to repeal imposition of 3% withholding on certain payments made to vendors by government entities, to modify the calculation of modified adjusted gross income for purposes of determining eligibility for certain healthcare-related programs). Final passage.**
4. **Motion to Invoke Cloture on the Motion to Proceed to H. R. 2354 (Legislative vehicle for Energy and Water, Financial Services and State and Foreign Operations Appropriations bills).**

Motion to Proceed to S. J. Res. 6 (A joint resolution disapproving the rule submitted by the Federal Communications Commission with respect to regulating the Internet and broadband industry practices). Yeas and nays ordered. The Motion to Proceed is not agreed to by a vote of 46-52.

Motion to Proceed to S. J. Res. 27 (A joint resolution disapproving a rule submitted by the Environmental Protection Agency relating to the mitigation by States of cross-border air pollution under the Clean Air Act). Yeas and nays ordered. The Motion to Proceed is not agreed to by a vote of 41-56.

H. R. 674 (To amend the Internal Revenue Code of 1986 to repeal imposition of 3% withholding on certain payments made to vendors by government entities, to modify the calculation of modified adjusted gross income for purposes of determining eligibility for certain healthcare-related programs).

Tester amend #927 (Regarding the VOW to Hire Heroes Act). The amendment is subject to a 60 yea vote threshold.

McCain 2nd Degree amend #928 (Text of S. 1720 - Jobs Through Growth Act) to Tester amend #927 (Regarding the VOW to Hire Heroes Act). The amendment is subject to a 60 yea vote threshold. Yeas and nays ordered. The amendment is not agreed to by a vote of 40-56 with Senator Lee (R-UT) voting present.

Tester amend #927 (Regarding the VOW to Hire Heroes Act), as amended. The amendment is subject to a 60 yea vote threshold. Yeas and nays ordered. The amendment was agreed to by a vote of 94-1 with Senator Snowe (R-ME) voting present.

H. R. 674 (To amend the Internal Revenue Code of 1986 to repeal imposition of 3% withholding on certain payments made to vendors by government entities, to modify the calculation of modified adjusted gross income for purposes of determining eligibility for certain healthcare-related programs), as amended. Final Passage. Yeas and nays ordered. The bill as amended passed by a vote of 95-0 with Senator Snowe (R-ME) voting present.

Motion to Invoke Cloture on the Motion to Proceed to H. R. 2354 (Legislative vehicle for Energy and Water, Financial Services and State and Foreign Operations Appropriations bills). Yeas and nays ordered. The Motion to Invoke Cloture was agreed to by a vote of 81-14.

The Senate proceeded with a period of Morning Business.

The Senate proceeded to an Executive Session.

The following nominations were considered en bloc:

Cal. #472 (Col. Giovanni K. Tuck to be Brigadier General in the U.S. Air Force).

Cal. #473 (Maj. Gen. Robin Rand to be Lieutenant General in the U.S. Air Force).

Cal. #474 (Brig. Gen. Everett H. Thomas to be Major General in the U.S. Air Force).
Cal. #475 (Maj. Gen. Ronnie D. Hawkins to be Lt. General in the U.S. Air Force).
Cal. #476 (Col. Judy M. Griego to be Brigadier General in the U.S. Air Force).
Cal. #477 (Maj. Gen. John W. Hesterman, III to be Lieutenant General in the U.S. Air Force).
Cal. #478 (Col. David Coburn to be Brigadier General in the U.S. Army).
Cal. #479 (Maj. Gen. Joseph Martz to be Lt. General in the U.S. Army).
Cal. #480 (25 Brig. Generals to be Major Generals in the U.S. Army).
Cal. #481 (Major General Peter Vangjel to be Lt. General in the U.S. Army).
Cal. #482 (Brig. General Gill Beck to be Major General in the U.S. Army).
Cal. #483 (Gen. Lloyd Austin, III to be General in the U.S. Army).
Cal. #484 (Brig. General Janet Cobb to be Major General in the U.S. Army).
Cal. #485 (Lt. General William Caldwell, IV to be Lt. General in the U.S. Army).
Cal. #486 (Maj. General William Ingram, Jr. to be Lt. General in the U.S. Army).
Cal. #487 (Brig. General Raymond Thomas, III to be Major General in the U.S. Army).
Cal. #488 (Col. John Poppe to be Brig. General in the U.S. Army).
Cal. #489 (Rear Admiral Matthew Nathan to be Vice Admiral in the U.S. Navy).
Cal. #490 (Rear Admiral Earl Gay to be Rear Admiral in the U.S. Navy).
Cal. #491 (Rear Admiral Timothy Giardina to be Vice Admiral in the U.S. Navy).
Cal. #492 (Rear Admiral William French to be Vice Admiral in the U.S. Navy).
All nominations at the Secretary's Desk in the Air Force, Army and Navy.
The nominations were confirmed, en bloc, by Unanimous Consent.

The Senate resumed a Legislative Session.

S. 363 (Authorizes the Secretary of Commerce to convey property of the Norm Oceanic and Atmospheric Administration to the City of Pascagoula, Mississippi). Wicker amendment agreed to by Unanimous Consent. The bill, as amended, is agreed to by Unanimous Consent.

H.R. 398 (Amends the Immigration and Nationality Act to toll during active duty service abroad in the foreign armed services the periods of time to file an and appear for an interview to remove the conditional basis for permanent resident status). The bill is read for a third time. The bill is agreed to by Voice Vote.

S. Res. 320 (Small Business Saturday). Agreed to by Unanimous Consent.

S. Res. 321 (Commemorating the 50th Anniversary of the Federal Executive Boards). Agreed to by Unanimous Consent.

The Senate will convene at 2:00 PM on Monday, November 14, 2011 and will be in a period of Morning Business until 3:00 PM. The Senate will then proceed to consideration of H.R. 2354

(Legislative vehicle for Energy and Water, Financial Services and State and Foreign Operations Appropriations bills). There will be no roll call votes on Monday. On Tuesday, November 15, 2011, there will be two roll call votes at approximately 12:00 Noon on the following nominations:

Cal. #354 (Sharon Gleason to be U.S. District Judge for the District of Alaska).

Cal. #355 (Yvonne Rogers to be U.S. District Judge for the Northern District of California).

The Senate adjourned at 5:33 PM.

SENATE FLOOR PROCEEDINGS

WEDNESDAY, NOVEMBER 9, 2011

The Senate will convene at 9:30 AM and will proceed with a period of Morning Business for 70 minutes. The Senate will then proceed to the consideration of the Motion to Proceed to S. J. Res. 6 (Net Neutrality/FCC Bill) for four hours of debate. **The vote on the Motion to Proceed will occur on Thursday, November 10, 2011 at approximately 12:05 PM.** Upon conclusion of the previous debate, the Senate will resume consideration of H. R. 674 (To amend the Internal Revenue Code of 1986 to repeal imposition of 3% withholding on certain payments made to vendors by government entities, to modify the calculation of modified adjusted gross income for purposes of determining eligibility for certain healthcare-related programs). Sen. McCain will be recognized to offer a second degree amendment #928 (The text of S. 1720). No votes appear to be scheduled for Wednesday's session.

On Thursday, November 10, 2011, at 10:00 AM, the Senate will proceed to the consideration of the Motion to Proceed to S. J. Res. 27 (Cross Border Air Pollution/EPA) with two hours of debate and then the Senate will lay S. J. Res. 27 aside. Further at 12:00 Noon, the Senate will resume consideration of the Motion to Proceed to S. J. Res. 6 (Net Neutrality/FCC Bill) for five minutes of debate followed by a vote on the Motion to Proceed to S. J. Res. 6. Upon conclusion of that vote, the Senate will proceed to a vote on the Motion to Proceed to S. J. Res. 27 (Cross Border Air Pollution/EPA Bill). **Please note that if either of the previous two votes on the Motions to Proceed (S. J. Res. 6 and S. J. Res. 27) is successful, consideration will be postponed until 2:15 PM on Tuesday, November 15, 2011.**

Also on Thursday, November 10, 2011, at 2:15 PM, the Senate will proceed to four votes on; McCain 2nd Degree amend #928 (Text of S. 1720 - Jobs Through Growth Act) with a 60 yea vote threshold, Tester amend #927 (Regarding the VOW to Hire Heroes Act) with a 60 yea vote threshold, final Passage of H. R. 674 (To amend the Internal Revenue Code of 1986 to repeal imposition of 3% withholding on certain payments made to vendors by government entities, to modify the calculation of modified adjusted gross income for purposes of determining eligibility for certain healthcare-related programs), and finally the Motion to Invoke Cloture on the Motion to Proceed to H. R. 2354 (Legislative vehicle for Energy and Water, Financial Services and State and Foreign Operations Appropriations bills).

The Senate convened and proceeded to a period of Morning Business.

The Senate proceeded to a Legislative Session.

Motion to Proceed to S. J. Res. 6 (Net Neutrality/FCC Bill). Laid aside.

H. R. 674 (To amend the Internal Revenue Code of 1986 to repeal imposition of 3% withholding on certain payments made to vendors by government entities, to modify the calculation of modified adjusted gross income for purposes of determining eligibility for certain healthcare-related programs).

McCain 2nd amend #928 (The text of S. 1720) to amend Tester #927 (To amend the Internal Revenue Code of 1986 to permit a 100 percent levy for payments to Federal vendors relating to property, to require a study on how to reduce the amount of Federal taxes owed but not paid by Federal contractors, and to make certain improvements in the laws relating to the employment and training of veterans).

H.R. 2447 (Grant the Congressional Gold Medal to Monford Point Marines). Agreed to by unanimous consent.

S. Res. 318 (Authorize printing of the revised edition of the Senate Rules Manual). Agreed to by unanimous consent.

S. Res. 319 (Honoring the life and legacy of Joe Frazier). Agreed to by unanimous consent.

The Senate will convene at 9:30 AM on Thursday, November 10, 2011 and will be in a period of Morning Business for 30 minutes. At 10:00 AM, the Senate will proceed to the consideration of the Motion to Proceed to S. J. Res. 27 (A joint resolution disapproving a rule submitted by the Environmental Protection Agency relating to the mitigation by States of cross-border air pollution under the Clean Air Act.) with two hours of debate. At 12:00 Noon, the Senate will resume consideration of the Motion to Proceed to S. J. Res. 6 (A joint resolution disapproving the rule submitted by the Federal Communications Commission with respect to regulating the Internet and broadband industry practices.) for five minutes of debate followed by a vote on the Motion to Proceed to S. J. Res. 6. Upon conclusion of that vote, the Senate will proceed to a vote on the Motion to Proceed to S. J. Res. 27 (A joint resolution disapproving a rule submitted by the Environmental Protection Agency relating to the mitigation by States of cross-border air pollution under the Clean Air Act). **Please note that if either of the previous two votes on the Motions to Proceed (S. J. Res. 6 and S. J. Res. 27) is successful, consideration will be postponed until 2:15 PM on Tuesday, November 15, 2011.** Following the votes the Senate will resume consideration of H. R. 674 (To amend the Internal Revenue Code of 1986 to repeal imposition of 3% withholding on certain payments made to vendors by government entities, to modify the calculation of modified adjusted gross income for purposes of determining eligibility for certain healthcare-related programs). At approximately 2:30 PM, the Senate will proceed to four votes on the following: McCain 2nd Degree amend #928 (Text of S. 1720 - Jobs Through Growth Act) with a 60 yea vote threshold, Tester amend #927 (Regarding the VOW to Hire

Heroes Act) with a 60 yeas vote threshold, final Passage of H. R. 674 (To amend the Internal Revenue Code of 1986 to repeal imposition of 3% withholding on certain payments made to vendors by government entities, to modify the calculation of modified adjusted gross income for purposes of determining eligibility for certain healthcare-related programs), and finally the Motion to Invoke Cloture on the Motion to Proceed to H. R. 2354 (Legislative vehicle for Energy and Water, Financial Services and State and Foreign Operations Appropriations bills). The Senate may get a unanimous consent agreement to have the second series of votes earlier than 2:30 PM.

The Senate adjourned at 7:07 PM.

SENATE FLOOR PROCEEDINGS

TUESDAY, NOVEMBER 8, 2011

The Senate will convene at 10:00 AM and will be in a period of Morning Business for one hour. Following Morning Business, the Senate will resume consideration of the Motion to Proceed to H.R. 674 (To amend the Internal Revenue Code of 1986 to repeal the imposition of 3 percent withholding on certain payments made to vendors by government entities, to modify the calculation of modified adjusted gross income for purposes of determining eligibility for certain healthcare-related programs). At 12:00 Noon, the Senate will proceed to Executive Session to consider Cal. #405 (Evan Wallach to be U.S. Circuit Judge for the Federal Circuit). There will be a roll call vote on the confirmation of Cal. #405 (Evan Wallach to be U.S. Circuit Judge for the Federal Circuit) at 12:15 PM. The Senate will then recess until 2:15 PM for weekly party caucus luncheons. The Senate expects to begin consideration of H.R. 674 (To amend the Internal Revenue Code of 1986 to repeal the imposition of 3 percent withholding on certain payments made to vendors by government entities, to modify the calculation of modified adjusted gross income for purposes of determining eligibility for certain healthcare-related programs) during today's session.

The Senate convened and proceeded with a period of Morning Business.

The following bills were read for the second time en bloc:

H.R. 2930 (Entrepreneur Access to Capital Act).

H.R. 2940 (Access to Capital for Job Creators Act).

Further consideration of the bills were objected to en bloc.

The Senate proceeded with a Legislative Session.

S. Res. 315 (Commending the St. Louis Cardinals on their World Series victory). Agreed to by unanimous consent.

The Senate proceeded to an Executive Session.

Cal. #405 (Evan Wallach to be U.S. Circuit Judge for the Federal Circuit). Yeas and nays ordered. The nomination was confirmed by a vote of 99-0.

The Senate recessed from 12:46-2:15 PM for weekly party caucus luncheons.

The Senate convened and resumed a Legislative Session.

Motion to Proceed to H.R. 674 (To amend the Internal Revenue Code of 1986 to repeal the imposition of 3 percent withholding on certain payments made to vendors by government entities, to modify the calculation of modified adjusted gross income for purposes of determining eligibility for certain healthcare-related programs). The Motion to Proceed to the bill was agreed to by unanimous consent.

H.R. 674 (To amend the Internal Revenue Code of 1986 to repeal the imposition of 3 percent withholding on certain payments made to vendors by government entities, to modify the calculation of modified adjusted gross income for purposes of determining eligibility for certain healthcare-related programs).

Tester amend #927 (Regarding the VOW to Hire Heroes Act). Laid aside.

Motion to Proceed to H. R. 2354 (Legislative vehicle for Energy and Water, Financial Services and State and Foreign Operations Appropriations bills). Reid Motion to invoke cloture on the Motion to Proceed to the bill. The vote on the Motion to Invoke Cloture on the Motion to Proceed will occur on Thursday, November 10, 2011. Reid withdrew the Motion to proceed.

S. Res. 132 (Recognizing and honoring the Zoos and Aquariums of the United States). Agreed to by unanimous consent.

The Senate will convene on Wednesday, November 9, 2011 at 9:30 AM and will proceed with a period of Morning Business for 70 minutes. The Senate will then proceed to the consideration of the Motion to Proceed to S. J. Res. 6 (Net Neutrality/FCC Bill) for four hours of debate. **The vote on the Motion to Proceed will occur on Thursday, November 10, 2011 at approximately 12:05 PM.** Upon conclusion of the previous debate, the Senate will resume consideration of H. R. 674 (To amend the Internal Revenue Code of 1986 to repeal imposition of 3% withholding on certain payments made to vendors by government entities, to modify the calculation of modified adjusted gross income for purposes of determining eligibility for certain healthcare-related programs). Sen. McCain will be recognized to offer a second degree amendment #928 (The text of S. 1720). No votes appear to be scheduled for Wednesday's session.

On Thursday, November 10, 2011, at 10:00 AM, the Senate will proceed to the consideration of the Motion to Proceed to S. J. Res. 27 (Cross Border Air Pollution/EPA) with two hours of debate and then the Senate will lay S. J. Res. 27 aside. Further at 12:00, Noon, the Senate will resume consideration of the Motion to Proceed to S. J. Res. 6 (Net Neutrality/FCC Bill) for five minutes of debate followed by a vote on the Motion to Proceed to S. J. Res. 6. Upon conclusion of that vote, the Senate will proceed to a vote on the Motion to Proceed to S. J. Res. 27 (Cross

Border Air Pollution/EPA Bill). Please note that if either of the previous two votes on the Motions to Proceed (S. J. Res. 6 and S. J. Res. 27) are successful, consideration will be postponed until 2:15 PM on Tuesday, November 15, 2011.

Also on Thursday, November 10, 2011, at 2:15 PM, the Senate will proceed to four votes on; McCain 2nd Degree amend #928 (Text of S. 1720) with a 60 yea vote threshold, Tester amend #927 (Regarding the VOW to Hire Heroes Act) with a 60 yea vote threshold, final Passage of H. R. 674 (To amend the Internal Revenue Code of 1986 to repeal imposition of 3% withholding on certain payments made to vendors by government entities, to modify the calculation of modified adjusted gross income for purposes of determining eligibility for certain healthcare-related programs), and finally the Motion to Invoke Cloture on the Motion to Proceed to H. R. 2354 (Legislative vehicle for Energy and Water, Financial Services and State and Foreign Operations Appropriations bills).

The Senate adjourned at 8:13 PM.

SENATE FLOOR PROCEEDINGS

MONDAY, NOVEMBER 7, 2011

The Senate will convene at 2:00 PM and will be in a period of Morning Business until 5:00 PM. The Senate will then proceed to a Legislative Session and consider the Motion to Proceed to H.R. 674 (To amend the Internal Revenue Code of 1986 to repeal the imposition of 3 percent withholding on certain payments made to vendors by government entities, to modify the calculation of modified adjusted gross income for purposes of determining eligibility for certain healthcare-related programs). At 5:30 PM, the Senate will vote on the Motion to Invoke Cloture on the Motion to Proceed to the bill.

The Senate convened and proceeded to a period of Morning Business.

The Senate proceeded to a Legislative Session.

Motion to Proceed to H.R. 674 (To amend the Internal Revenue Code of 1986 to repeal the imposition of 3 percent withholding on certain payments made to vendors by government entities, to modify the calculation of modified adjusted gross income for purposes of determining eligibility for certain healthcare-related programs). Motion to Invoke Cloture on the Motion to Proceed. Yeas and nays ordered. The Cloture Motion on the Motion to Proceed was agreed to by a vote of 94-1.

The Senate proceeded to an Executive Session.

Cal. #465 (#465 Irvin Charles McCullough III to be Inspector General of the Intelligence Community, Office of the Director of National Intelligence). Confirmed by Unanimous Consent.

The Senate resumed a Legislative Session.

S. Res. 312 (Commending the Girl Scouts of the USA on the Special Occasion of its 52nd Annual Convention and commending the commitment of the Girl Scouts of the USA to the mission of fostering courage). Agreed to by Unanimous Consent.

S. Res. 313 (Congratulating the University of Washington on its sesquicentennial and recognizing the contributions of the University of Washington to the State of Washington and to the United States). Agreed to by Unanimous Consent.

The following bills were read en bloc:

H.R. 1070 (Small Company Capital Formation Act of 2011).

H.R. 1965 (To amend the securities laws to establish certain thresholds for shareholder registration).

The bills were read for a second time en bloc. Further readings were objected to en bloc and the bills were placed on the calendar.

The following bills were read en bloc:

H.R. 2930 (Entrepreneur Access to Capital Act).

H.R. 2940 (Access to Capital for Job Creators Act).

The bills were read for a first time en bloc. Further readings were objected to en bloc and the second reading will be on the next legislative day.

The Senate will convene at 10:00 AM on Tuesday, November 8, 2011 and will be in a period of Morning Business for one hour. Following Morning Business, the Senate will resume consideration of the Motion to Proceed to H.R. 674 (To amend the Internal Revenue Code of 1986 to repeal the imposition of 3 percent withholding on certain payments made to vendors by government entities, to modify the calculation of modified adjusted gross income for purposes of determining eligibility for certain healthcare-related programs). At 12:00 Noon, the Senate will proceed to Executive Session to consider Cal. #405 (Evan Wallach to be U.S. Circuit Judge for the Federal Circuit). There will be a roll call vote on the confirmation of Cal. #405 (Evan Wallach to be U.S. Circuit Judge for the Federal Circuit) at 12:15 PM. The Senate will then recess until 2:15 PM for weekly party caucus luncheons. The Senate expects to begin consideration of H.R. 674 (To amend the Internal Revenue Code of 1986 to repeal the imposition of 3 percent withholding on certain payments made to vendors by government entities, to modify the calculation of modified adjusted gross income for purposes of determining eligibility for certain healthcare-related programs) during tomorrow's session.

The Senate adjourned at 6:36 PM.

SENATE FLOOR PROCEEDINGS

THURSDAY, NOVEMBER 3, 2011

The Senate will convene at 10:00 AM and will immediately resume consideration of the Motion to Proceed to S. 1769 (A bill to put workers back on the job while rebuilding and modernizing America). The Senate will concurrently debate the Motion to Proceed to S. 1786 (Facilitate job creation by reducing regulatory uncertainty, providing for rational evaluation of regulations, providing flexibilities to States and localities and providing for infrastructure spending). At 3:00 PM, the Senate will proceed to a vote on the Motion to Proceed to S. 1769 with a 60-yea vote threshold. If the Motion to Proceed fails to achieve 60 yea votes, the Senate will immediately proceed to a vote on the Motion to Proceed to S. 1786 with a 60-yea vote threshold.

The Senate convened and proceeded to a Legislative Session.

The Senate is concurrently debating the following:

Motion to Proceed to S. 1769 (A bill to put workers back on the job while rebuilding and modernizing America). Yeas and nays ordered. Under a previous order, the Motion is subject to a 60-yea vote threshold for adoption. The Motion to Proceed was not agreed to by a vote of 51-49.

Motion to Proceed to S. 1786 (Facilitate job creation by reducing regulatory uncertainty, providing for rational evaluation of regulations, providing flexibilities to States and localities and providing for infrastructure spending). Yeas and nays ordered. Under a previous order, the Motion is subject to a 60-yea vote threshold for adoption. The Motion to Proceed is not agreed to by a vote of 47-53.

Under a previous order, the Senate has received a Message from the House with respect to H.R. 2112 (Legislative Vehicle for Agriculture, Commerce, Justice and Science, and Transportation Appropriations), the Senate insists on its amendments and appoints the following nominees: Sens. Kohl, Harkin, Feinstein, Johnson (SD), Nelson (NE), Pryor, Brown (OH), Inouye, Murray, Mikulski, Blunt, Cochran, McConnell, Collins, Moran, Hoeven, Hutchison and Shelby.

The Senate proceeded to an Executive Session.

Cal. #356 (Richard Andrews to be US District Judge for the District of Delaware). Confirmed by Unanimous Consent.

Cal. #353 (Scott Skavdahl to be US District Judge for the District of Wyoming). Yeas and nays ordered. The nomination was confirmed by a vote of 96-0.

The Senate resumed a Legislative Session.

Motion to Proceed to H.R. 674 (To amend the Internal Revenue Code of 1986 to repeal the imposition of 3 percent withholding on certain payments made to vendors by government entities, to modify the calculation of modified adjusted gross income for purposes of determining eligibility for certain healthcare-related programs). Reid Motion to Invoke Cloture on the Motion to Proceed.

The Senate proceeded to an Executive Session.

Cal. #415 (Alan Krueger to be a Member of the Council of Economic Advisers). Confirmed by Unanimous Consent.

The Senate resumed a Legislative Session.

H.R. 818 (To direct the Secretary of the Interior to allow for prepayment of repayment contracts between the United States and the Uintah Water Conservancy District). Agreed to by Unanimous Consent.

H.R. 1487 (Poison-Free Poultry Act of 2011). Agreed to by Unanimous Consent.

S. 1759 (America's Cup Act of 2011). Feinstein amendment agreed to by Unanimous Consent. The bill, as amended, is agreed to by Unanimous Consent.

S. Res. 311 (To authorize the printing of the collection of the rules of the committees of the Senate). Agreed to by Unanimous Consent.

The following bills were considered en bloc:

H.R. 1070 (Small Company Capital Formation Act of 2011).

H.R. 1965 (To amend the securities laws to establish certain thresholds for shareholder registration).

The bills were read for a first time en bloc. Further readings were objected to and the bills will be read for a second time on the next legislative day.

The Senate will convene at 2:00 PM on Monday, November 7, 2011 and will be in a period of Morning Business until 5:00 PM. The Senate will then proceed to a Legislative Session and consider the Motion to Proceed to H.R. 674 (To amend the Internal Revenue Code of 1986 to repeal the imposition of 3 percent withholding on certain payments made to vendors by government entities, to modify the calculation of modified adjusted gross income for purposes of

determining eligibility for certain healthcare-related programs). At 5:30 PM, the Senate will vote on the Motion to Invoke Cloture on the Motion to Proceed to the bill.

The Senate adjourned at 6:42 PM.

SENATE FLOOR PROCEEDINGS

WEDNESDAY, NOVEMBER 2, 2011

The Senate will convene at 9:30 AM and will be in a period of Morning Business for one hour. At 10:30 AM, the Senate will resume consideration of the Motion to Proceed to S. 1769 (A bill to put workers back on the job while rebuilding and modernizing America).

The Senate convened and proceeded to a period of Morning Business.

The Senate proceeded to a Legislative Session.

Motion to Proceed to S. 1769 (A bill to put workers back on the job while rebuilding and modernizing America). Laid aside.

S. 720 (Repeal the CLASS Entitlement Act). Thune Motion to proceed to the bill and agree to it was objected to by Rockefeller.

Motion to Proceed to S. 1769 (A bill to put workers back on the job while rebuilding and modernizing America). Motion to Invoke Cloture on the Motion to Proceed was vitiated.

Reid Motion that at a time to be determined by both Senate Leaders, the Senate will proceed to an Executive Session and debate for one hour Cal. #353 (Scott Skavdahl to be US District Judge for the District of Wyoming) and Cal. #356 (Richard Andrews to be US District Judge for the District of Delaware). Further, upon conclusion of the debate, the Senate will proceed with two votes on confirmation. The Motion was agreed to.

The following bills were considered en bloc:

S. 271 (Wallowa Forest Service Compound Conveyance Act). Agreed to by voice vote.

S. 278 (Sugar Loaf Fire Protection District Land Exchange Act of 2011). Agreed to by voice vote.

S. 535 (Fort Pulaski National Monument Lease Authorization Act). Agreed to by voice vote.

S. 683 (Box Elder Utah Land Conveyance Act). Agreed to by voice vote.

S. 684 (Provide for the conveyance of certain parcels of land to the town of Alta, Utah). Agreed to by voice vote.

S. 808 (Direct the Secretary of the Interior to allow for prepayment of repayment contracts between the United States and the Uintah Water Conservancy District). Agreed to by voice vote.

S. 897 (Amend the Surface Mining Control and Reclamation Act of 1977 to clarify that uncertified States and Indian tribes have the authority to use certain payments for certain noncoal reclamation projects and acid mine remediation programs). Agreed to by voice vote.

S. 997 (East Bench Irrigation District Water Contract Extension Act). Agreed to by voice vote.

Reid Motion to Place S. 1786 (Facilitate job creation by reducing regulatory uncertainty, providing for rational evaluation of regulations, providing flexibilities to States and localities and providing for infrastructure spending) on the Senate Calendar was agreed to.

The Senate will convene at 10:00 AM on Thursday, November 3, 2011 and will immediately resume consideration of the Motion to Proceed to S. 1769 (A bill to put workers back on the job while rebuilding and modernizing America). The Senate will concurrently debate the Motion to Proceed to S. 1786 (Facilitate job creation by reducing regulatory uncertainty, providing for rational evaluation of regulations, providing flexibilities to States and localities and providing for infrastructure spending). At 3:00 PM, the Senate will proceed to a vote on the Motion to Proceed to S. 1769 with a 60 yea vote threshold. If the Motion to Proceed fails to achieve 60 yea votes, the Senate will immediately proceed to a vote on the Motion to Proceed to S. 1786 with a 60 yea vote threshold.

The Senate adjourned at 6:52 PM.

SENATE FLOOR PROCEEDINGS

TUESDAY, NOVEMBER 1, 2011

The Senate will convene and will resume consideration of H.R. 2112 (Legislative Vehicle for Agriculture, Commerce, Justice and Science, and Transportation Appropriations). With the Inouye substitute amendment having been agreed to, the substitute amendment will be considered as original text for further amendments. Under a previous agreement, the Senate will proceed to vote on the following amendments and resolutions:

Coburn amend #800 (to reduce funding for the Rural Development Agency).

Paul amend #821 (to reallocate 10 percent of the amounts appropriated for capital investments in surface transportation infrastructure from transportation enhancement activities to the highway bridge program). Subject to a 60-vote affirmative threshold.

DeMint amend #763 (to prohibit the use of funds to implement regulations regarding the removal of essential-use designation for epinephrine used in oral pressurized metered-dose inhalers).

Crapo amend #814 (to provide for the orderly implementation of the provisions of title VII of the Dodd-Frank Wall Street Reform and Consumer Protection Act, and for other purposes). Subject to a 60-vote affirmative threshold.

Lee Motion to Recommit H.R. 2112 to the Appropriations Committee to be reported back forthwith with an amendment adjusting spending levels in the bill to FY2011.

Under a previous order, the remaining Coburn amendments will be withdrawn with the exception of amendment 801, and the Senate will proceed to vote on final passage of the bill. Further, when the Senate receives the Message from the House with respect to H.R. 2112 the Senate insist on its amendments or agree to a conference with the House on the disagreeing votes of the two Houses and the Chair be authorized to appoint the following conferees. Kohl, Harkin, Feinstein, Nelson, Pryor, Blunt, Cochran, Hoeven, Hutchison and Shelby.

The votes on all amendments and final passage will begin at approximately 10:15 AM. The Senate will recess from 12:30 – 2:15 for party caucuses.

The Senate convened and proceeded with a Legislative Session.

The following bills were considered en bloc:

H. R. 674 (Amend the Internal Revenue Code of 1986 to repeal the imposition of 3% withholding on certain payments made to vendors by Government Entities). The bill was read for the first time. The second reading of the bill was objected to.

S. 1769 (A bill to put workers back on the job while rebuilding and modernizing America). The bills were read for the second time. Further consideration of the bills were objected to.

H.R. 2112 (Legislative Vehicle for Agriculture, Commerce, Justice and Science, and Transportation Appropriations). With the Inouye substitute amendment having been agreed to, the substitute amendment will be considered as original text for further amendments.

Coburn amend #800 (To reduce funding for the Rural Development Agency). Yeas and nays ordered. The amendment was not agreed to by a vote of **13-85**.

Paul amend #821 (To reallocate 10 percent of the amounts appropriated for capital investments in surface transportation infrastructure from transportation enhancement activities to the highway bridge program). Subject to a 60-vote affirmative threshold. Yeas and nays ordered. The amendment was not agreed to by a vote of **38-60**.

DeMint amend #763 (To prohibit the use of funds to implement regulations regarding the removal of essential-use designation for epinephrine used in oral pressurized metered-dose inhalers). Yeas and nays ordered. The amendment was not agreed to by a vote of **44-54**.

Crapo amend #814 (To provide for the orderly implementation of the provisions of title VII of the Dodd-Frank Wall Street Reform and Consumer Protection Act, and for other purposes). The amendment is **withdrawn** by Sen. Crapo.

Coburn amend #801 (To eliminate funding for the Small Community Air Service Development Program). Yeas and nays ordered. The amendment is not agreed to by a vote of **41-57**.

Lee Motion to Recommit H.R. 2112 to the Appropriations Committee to be reported back forthwith with an amendment adjusting spending levels in the bill to FY2011. Yeas and nays ordered. The Motion to Recommit is not agreed to by a vote of **39-68**.

Kohl Point of Order against DeMint amend # 764 (To eliminate a certain increase in funding). The Point of Order is sustained and the amendment falls.

The remaining Coburn amendments are withdrawn by Unanimous Consent.

H.R. 2112 (Legislative Vehicle for Agriculture, Commerce, Justice and Science, and Transportation Appropriations), as amended. The bill is read for a third time. **Final passage.** Yeas and nays ordered. The bill passed by a vote of **69-30**.

The Senate recessed from 12:34-2:15 PM for weekly party caucus luncheons.

The Senate convened at 2:15 PM.

The Senate recessed from 3:35-4:30 PM for a Senator's security briefing.

The Senate reconvened at 4:30 PM.

The Senate proceeded with a period of Morning Business.

Reid filed cloture on the Motion to Proceed to S. 1769 (A bill to put workers back on the job while rebuilding and modernizing America).

The Senate proceeded with an Executive Session and confirmed the following nominations en bloc by unanimous consent:

Cal. #412 (Patricia M. Loui of Hawaii to be a Member of the Board of Directors of the Export-Import Bank of the United States).

Cal. #414 (Larry Walther to be a Member of the Board of Directors of the Export-Import Bank of the United States).

The Senate proceeded with a Legislative Session.

The Senate will convene at 9:30 AM on Wednesday, November 2, 2011 and will be in a period of Morning Business for one hour. At 10:30 AM, the Senate will resume consideration of the Motion to Proceed to S. 1769 (A bill to put workers back on the job while rebuilding and modernizing America).

The Senate adjourned at 7:00 PM.