

# Daily Digest

## Senate

### Chamber Action

*Routine Proceedings, pages S1773–S1893*

**Measures Introduced:** Two bills and one resolution were introduced, as follows: S. 392–393, and S. Con. Res. 5. **Page S1864**

#### Measures Considered:

**American Recovery and Reinvestment Act:** Senate continued consideration of H.R. 1, making supplemental appropriations for job preservation and creation, infrastructure investment, energy efficiency and science, assistance to the unemployed, and State and local fiscal stabilization, for fiscal year ending September 30, 2009, taking action on the following amendments proposed thereto:

**Pages S1774–S1840, S1841–59**

#### Adopted:

Sanders/Grassley Modified Amendment No. 306 (to Amendment No. 98), to require recipients of TARP funding to meet strict H–1B worker hiring standard to ensure non-displacement of U.S. workers.

**Pages S1775, S1803**

By 73 yeas to 24 nays (Vote No. 51), Coburn Amendment No. 309 (to Amendment No. 98), to ensure that taxpayer money is not lost on wasteful and non-stimulative projects. **Pages S1775, S1803–04**

Udall Amendment No. 359 (to Amendment No. 98), to expand the number of veterans eligible for the employment tax credit for unemployed veterans.

**Pages S1775, S1804**

By a unanimous vote of 97 yeas (Vote No. 52), Coburn Amendment No. 176 (to Amendment No. 98), to require the use of competitive procedures to award contracts, grants, and cooperative agreements funded under this Act. **Pages S1775, S1804–07**

Baucus (for Dodd) Modified Amendment No. 145 (to Amendment No. 98), to improve the efforts of the Federal Government in mitigating home foreclosures and to require the Secretary of the Treasury to develop and implement a foreclosure prevention loan modification plan. **Pages S1775, S1850–51, S1852**

Cantwell Further Modified Amendment No. 274 (to Amendment No. 98), to improve provisions relating to energy tax incentives and provisions relat-

ing manufacturing tax incentives for energy property. **Pages S1819–26, S1853–54**

Wyden Amendment no. 468 (to Amendment No. 98), to require financial institutions receiving TARP assistance to redeem from the United States preferred stock in an amount equal to excess bonuses from 2008 or to pay a 35 percent tax on such amount.

**Pages S1834–38, S1855**

Enzi Further Modified Amendment No. 293 (to Amendment No. 98), to provide for a manager's amendment. **Pages S1831–34, S1856–59**

#### Rejected:

By 39 yeas to 57 nays (Vote No. 53), Graham/Conrad Modified Amendment No. 501 (to Amendment No. 98), to limit wasteful spending, to fund a systematic program of foreclosure prevention, to be administered by the Federal Deposit Insurance Corporation. **Pages S1808–17, S1831, S1851–52**

By 47 yeas to 49 nays (Vote No. 54), Grassley Amendment No. 297 (to Amendment No. 98), to provide the same temporary increase in the FMAP for all States and to permit States to choose the period through June 2011 for receiving the increase.

**Pages S1817–19, S1852–53**

By 45 yeas to 51 nays (Vote No. 56), Vitter Amendment No. 107 (to Amendment No. 98), prohibiting direct or indirect use of funds to fund the Association of Community Organizations for Reform Now (ACORN). **Pages S1808, S1854**

By 41 yeas to 55 nays (Vote No. 57), Bunning Amendment No. 531 (to Amendment No. 98), to temporarily increase the limitations on offsetting ordinary income with capital losses and to strike the 5-year carryback of general business credits.

**Pages S1826–27, S1855**

#### Withdrawn:

Feingold/Stabenow Amendment No. 485 (to Amendment No. 98), to clarify that certain programs constitute a qualified conservation purpose for qualified energy conservation bonds.

**Pages S1827–28, S1855**

Murray Amendment No. 110 (to Amendment No. 98), to strengthen the infrastructure investments made by the bill. **Pages S1775, S1855**

Reid (for Inouye/Baucus) Amendment No. 98, in the nature of a substitute. **Pages S1774–S1840, S1841–59**

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

By 80 yeas to 16 nays (Vote No. 55), three-fifths of those Senators duly chosen and sworn, having voted in the affirmative, Senate agreed to the motion to waive section 904 of Congressional Budget Act of 1974 with respect to Cantwell Further Modified Amendment No. 274 (to Amendment No. 98), to improve provisions relating to energy tax incentives and provisions relating manufacturing tax incentives for energy property. The point of order that the amendment was in violation of section 201 of S. Con. Res. 21, FY08 Congressional Budget Resolution, was not sustained. **Pages S1853–54**

By 35 yeas to 61 nays (Vote No. 58), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive section 201 of S. Con. Res. 21, FY08 Congressional Budget Resolution, with respect to Thune Amendment No. 538 (to Amendment No. 98), to replace all spending and tax provisions with a direct rebate to all Americans filing a tax return. Subsequently, the pay-as-you-go point of order that the amendment would cause or increase an on-budget deficit for either of the applicable time periods set out in S. Con. Res. 21, was sustained, and the amendment thus fell. **Pages S1828–31, S1855–56**

A unanimous-consent agreement was reached providing for further consideration of the bill at 12 p.m., on Saturday, February 7, 2009, and that the Collins-Nelson (NE) Amendment be called up, and that cloture be filed on the amendment, and that no further amendments or motions be in order for the duration of the bill; provided further, that on Monday, February 9, 2009, the time from 1 p.m. until 5:30 p.m., be equally divided and controlled in the same manner and at 5:30 p.m., Senate vote on the motion to invoke cloture on the amendment offered by Senator Reid for Senators Collins and Nelson (NE); that if cloture is invoked on the amendment; then post-cloture time run during any recess or adjournment of the Senate on Monday, February 9, 2009; and that all post-cloture time be considered expired at 12 noon, on Tuesday, February 10, 2009; that on Tuesday, February 10, 2009, the time until 12 noon be equally divided and controlled as provided above; and that if a budget point of order is raised against the amendment, then a motion to waive the applicable point of order be considered made; that if the waiver is successful, the amendment be agreed to; that if there is no point of order against the amendment, then adoption of the amendment be subject to a 60 affirmative vote threshold, and Senate vote on final passage of the bill, that

upon passage of the bill, Senate insist on its amendment, request a conference with the House on the disagreeing votes of the two Houses, and the Chair be authorized to appoint conferees, with the ratio agreed upon by the two Leaders. **Page S1859**

#### Appointments:

**British-American Interparliamentary Group:**  
The Chair, on behalf of the President pro tempore, and upon the recommendation of the Republican Leader, pursuant to 22 U.S.C. 2761, as amended, appointed the following Senator as Vice Chairman of the British-American Interparliamentary Group conference during the 111th Congress: Senator Cochran. **Page S1883**

**British-American Interparliamentary Group:**  
The Chair, on behalf of the President pro tempore, and upon the recommendation of the Majority Leader, pursuant to 22 U.S.C. 2761, as amended, appointed the following Senator as Chairman of the British-American Interparliamentary Group conference during the 111th Congress: Senator Leahy.

**Additional Cosponsors:** **Pages S1864–66**

**Statements on Introduced Bills/Resolutions:**  
**Page S1866**

**Additional Statements:** **Pages S1862–64**

**Amendments Submitted:** **Pages S1866–83**

**Notices of Hearings/Meetings:** **Page S1883**

**Authorities for Committees to Meet:** **Page S1883**

**Privileges of the Floor:** **Page S1883**

**Record Votes:** Eight record votes were taken today. (Total—58) **Pages S1804, S1805, S1852, S1853, S1853–54, S1854, S1855, S1856**

**Adjournment:** Senate convened at 10 a.m. on Friday, February 6, 2009 and adjourned at 12:39 a.m. on Saturday, February 7, 2009, until 12 p.m. on the same day. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S1883.)

## Committee Meetings

*(Committees not listed did not meet)*

### NOMINATION

**Select Committee on Intelligence:** Committee concluded a hearing to examine the nomination of Leon E. Panetta, of California, to be Director of the Central Intelligence Agency, after the nominee testified and answered questions in his own behalf.

# House of Representatives

## Chamber Action

The House was not in session today. The House is scheduled to meet at 2 p.m. on Monday, February 9, 2009, pursuant to the provisions of H. Con. Res. 26.

## Committee Meetings

No committee meetings were held.

## Joint Meetings

### EMPLOYMENT

*Joint Economic Committee:* Committee concluded a hearing to examine the employment situation for January 2009, after receiving testimony from Keith Hall, Commissioner, Bureau of Labor Statistics, Department of Labor.

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## COMMITTEE MEETINGS FOR SATURDAY, FEBRUARY 7, 2009

*(Committee meetings are open unless otherwise indicated)*

### Senate

No meetings/hearings scheduled.

### House

No committee meetings are scheduled.

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## CONGRESSIONAL PROGRAM AHEAD

Week of February 9 through February 14, 2009

### Senate Chamber

On *Monday*, at approximately 1 p.m., Senate will resume consideration of H.R. 1, American Recovery and Reinvestment Act, and vote on the motion to invoke cloture on the amendment offered by Senator Reid for Senators Collins and Nelson (NE) at 5:30 p.m.

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

### Senate Committees

*(Committee meetings are open unless otherwise indicated)*

*Committee on Appropriations:* February 11, Subcommittee on Energy and Water Development, to hold hearings to examine protecting residents of the Devils Lake region from rising water, 9:30 a.m., SD-138.

*Committee on Banking, Housing, and Urban Affairs:* February 10, business meeting to consider the nominations of Austan Dean Goolsbee, of Illinois, and Cecilia Elena Rouse, of California, both to be Members of the Council of Economic Advisers; and an original resolution author-

izing expenditures for committee operations, committee's rules of procedure for the 111th Congress, and subcommittee assignments; to be followed by an oversight hearing to examine the financial rescue program, focusing on a new plan for the Trouble Asset Relief Program (TARP), 10 a.m., SD-106.

February 12, Full Committee, to hold hearings to examine consumer protection in the financial regulatory system, focusing on strengthening credit card protections, 10 a.m., SD-538.

*Committee on the Budget:* February 10, to hold hearings to examine issues and budget options for health reform, 10 a.m., SD-608.

February 11, Full Committee, to hold hearings to examine policies to address the crises in financial and housing markets, 10 a.m., SD-608.

February 12, Full Committee, to hold hearings to examine Senate procedures for consideration of the budget resolution/reconciliation, 10 a.m., SD-608.

*Committee on Commerce, Science, and Transportation:* February 12, organizational business meeting to consider an original resolution authorizing expenditures for committee operations, and committee's rules of procedure for the 111th Congress; followed by a hearing to consider the nominations of Jane Lubchenco, of Oregon, to be Under Secretary for Oceans and Atmosphere, and John P. Holdren, of Massachusetts, to be Director of the Office of Science and Technology Policy, both of the Department of Commerce, 10 a.m., SR-253.

*Committee on Energy and Natural Resources:* February 10, to hold hearings to examine renewable electricity standards proposal, 10 a.m., SD-366.

February 11, Full Committee, organizational business meeting to consider an original resolution authorizing expenditures for committee operations, and subcommittee assignments for the 111th Congress, 11:30 a.m., SD-366.

February 12, Full Committee, to hold hearings to examine the Department of Energy Loan Guarantee Program, authorized under Title 17 of the Energy Policy Act of 2005, and how the delivery of services to support the deployment of clean energy technologies might be improved, 10 a.m., SD-366.

*Committee on Foreign Relations:* February 10, to receive a closed briefing on North Korea, 2:30 p.m., SVC-217.

*Committee on Homeland Security and Governmental Affairs:* February 11, business meeting to consider S. 160, to provide the District of Columbia a voting seat and the State of Utah an additional seat in the House of Representatives, S. 303, to reauthorize and improve the Federal Financial Assistance Management Improvement Act of 1999, S. 69, to establish a fact-finding Commission to extend the study of a prior Commission to investigate and determine facts and circumstances surrounding the relocation, internment, and deportation to Axis countries of Latin Americans of Japanese descent from December 1941 through February 1948, and the impact of those actions by the United States, and to recommend appropriate remedies, and S. 234, to designate the facility of

the United States Postal Service located at 2105 East Cook Street in Springfield, Illinois, as the “Colonel John H. Wilson, Jr. Post Office Building”, an original resolution authorizing expenditures for committee operations, and committee’s rules of procedure for the 111th Congress, 10 a.m., SD–342.

February 12, Full Committee, to hold hearings to examine structuring national security and homeland security at the White House, 10 a.m., SD–342.

*Committee on Indian Affairs*: February 12, to hold an oversight hearing to examine matters relating to Indian affairs, 9:30 a.m., SD–628.

*Committee on the Judiciary*: February 10, to hold hearings to examine the nominations of Elena Kagan, of Massachusetts, to be Solicitor General of the United States, and Thomas John Perrelli, of Virginia, to be Associate Attorney General, both of the Department of Justice, 10 a.m., SD–226.

February 11, Full Committee, to hold hearings to examine the need for increased fraud enforcement in the wake of the economic downturn, 10 a.m., SD–226.

*Committee on Rules and Administration*: February 11, organizational business meeting to consider committee’s funding resolution for the 111th Congress, and other pending business, 10:30 a.m., SR–301.

February 11, Full Committee, to hold hearings to examine Senate Committee budget requests, 10:45 a.m., SR–301.

*Committee on Small Business and Entrepreneurship*: February 12, organizational business meeting to consider an original resolution authorizing expenditures for committee operations, and committee’s rules of procedure for the 111th Congress, 9:30 a.m., SR–428A.

*Committee on Veterans’ Affairs*: February 11, to hold hearings to examine veterans’ disability compensation, focusing on the appeals process, 9:30 a.m., SR–418.

*Select Committee on Intelligence*: February 10, to hold closed hearings to consider certain intelligence matters, 2:30 p.m., SH–219.

February 11, Full Committee, closed business meeting to consider pending intelligence matters, 2:30 p.m., SH–219.

February 12, Full Committee, to hold hearings to examine the world threat, 2:30 p.m., SH–216.

### House Committees

*Committee on Appropriations*, February 11, Subcommittee on Defense, executive, hearing on Air Force Nuclear Enterprise, 10 a.m., and a hearing on Contract Services and Acquisition Management, 1:30 p.m., H–140 Capitol.

February 12, Subcommittee on Defense, hearing on Army Contracting, 10 a.m., H–140 Capitol.

*Committee on Armed Services*, February 12, hearing on addressing U.S. Strategy in Iraq and Afghanistan: Balancing Interests and Resources, 10:30 a.m., 2118 Rayburn.

February 12, Subcommittee on Terrorism, Unconventional Threats and Capabilities, hearing on Strategies for Countering Violent Extremist Ideologies, 1 p.m., 2118 Rayburn.

*Committee on the Budget*, February 12, hearing on Building a Foundation for Families: Fighting Hunger, Investing in Children, 10 a.m., 210 Cannon.

*Committee on Education and Labor*, February 11, to mark up the Stop Child Abuse in Residential Programs for Teens Act of 2009; and to consider the Committee Oversight Plan for the 111th Congress, 10 a.m., 2175 Rayburn.

February 12, hearing on Examining Workers’ Rights and Violence Against Labor Union Leaders in Colombia, 10 a.m., 2175 Rayburn.

February 12, Subcommittee on Higher Education, Lifelong Learning and Competitiveness, hearing on New Innovations and Best Practices, Under the Workforce Investment Act, 2:30 p.m., 2175 Rayburn.

*Committee on Energy and Commerce*, February 10, to meet for organizational purposes, and to consider the Committee’s Oversight Plan for the 111th Congress, 10 a.m., 2123 Rayburn.

February 12, Subcommittee on Energy and Environment, hearing on The Climate Challenge: National Security Threats and Economic Opportunities, 10 a.m., 2123 Rayburn.

*Committee on Financial Services*, February 10, hearing entitled “An Examination of the Extraordinary Efforts by the Federal Reserve Bank to Provide Liquidity in the Current Financial Crisis,” 1 p.m., 2128 Rayburn.

February 11, hearing entitled “TARP Accountability: Use of Federal Assistance by the First TARP Recipients,” 10 a.m., 2128 Rayburn.

*Committee on Foreign Affairs*, February 12, Subcommittee on Asia, the Pacific, and the Global Environment, hearing on Smart Power: Remaking U.S. Foreign Policy in North Korea, 1 p.m., 2172 Rayburn.

February 12, Subcommittee on the Middle East and South Asia, hearing on Gaza After the War: What Can Be Built on the Wreckage? 9:30 a.m., 2172 Rayburn.

*Committee on House Administration*, February 11, to consider Committee Funding for the 111th Congress, 10 a.m., 1310 Longworth.

*Committee on the Judiciary*, February 11, Subcommittee on Crime, Terrorism, and Homeland Security, hearing on Youth Violence: Trends, Myths and Solutions, 2 p.m., 2141 Rayburn.

February 12, Subcommittee on Commercial and Administrative Law, hearing on Libel Tourism, 11 a.m., 2141 Rayburn.

*Committee on Natural Resources*, February 11, oversight hearing entitled, “Offshore Drilling: Environmental and Commercial Perspectives,” 10 a.m., 1324 Longworth.

February 12, Subcommittee on Energy and Mineral Resources, hearing on H.R. 493, Coal Ash Reclamation, Environment, and Safety Act of 2009, 10 a.m., 1324 Longworth.

*Committee on Rules*, February 10, to consider S. 22, Omnibus Public Land Management Act of 2009, 4:30 p.m., H–313 Capitol.

*Committee on Science and Technology*, February 11, hearing on Electronic Waste: Investing in Research and Innovation to Reuse, Reduce, and Recycle, 10 a.m., 2318 Rayburn.

February 12, Subcommittee on Technology and Innovation, hearing on an Overview of Transportation R&D: Priorities for Reauthorization, 10 a.m., 2318 Rayburn.

*Committee on Small Business*, February 11, hearing entitled “The State of SBA’s Entrepreneurial Development Programs and Their Role in Promoting an Economic Recovery,” 1 p.m., 2360 Rayburn.

February 11, Subcommittee on Rural Development, Entrepreneurship and Trade, hearing entitled “The Impact of Competitive Bidding on Small Businesses in the Durable Medical Equipment Community,” 10 a.m., 2360 Rayburn.

*Committee on Transportation and Infrastructure*, February 11, Subcommittee on Aviation, hearing on the FAA Reauthorization Act of 2009, 2 p.m., 2167 Rayburn.

February 12, Subcommittee on Economic Development, Public Buildings, and Emergency Management, hearing on GSA’s Economic Recovery Role: Job Creation, Repair, and Energy Efficiency in Federal Buildings and Accountability, 2 p.m., 2167 Rayburn.

*Permanent Select Committee on Intelligence*, February 12, executive, to meet for organizational purposes, 10 a.m., 304 HVC.

February 13, executive, briefing on Hot-Spots, 9 a.m.; and executive, briefing on Counter Intelligence, 10 a.m., 304 HVC.

*Next Meeting of the SENATE*

12 p.m., Saturday, February 7

*Next Meeting of the HOUSE OF REPRESENTATIVES*

2 p.m., Monday, February 9

Senate Chamber

**Program for Saturday:** Senate will continue consideration of H.R. 1, American Recovery and Reinvestment Act.

House Chamber

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



## Congressional Record

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