

# Daily Digest

## Senate

### Chamber Action

*Routine Proceedings, pages S2873–S2917*

**Measures Introduced:** Eleven bills and four resolutions were introduced, as follows: S. 544–554, S. Res. 69–71, and S. Con. Res. 10. **Page S2909–10**

#### Measures Reported:

Special Report entitled “Report of the Select Committee on Intelligence for the 110th Congress”. (S. Rept. No. 111–6) **Page S2909**

#### Measures Passed:

**National Reading Month:** Senate agreed to S. Res. 69, designating March 2009 as “National Reading Month” and authorizing the collection of non-monetary book donations in Senate office buildings during the period beginning March 9, 2009 and ending March 27, 2009 from Senators and officers and employees of the Senate to assist elementary school students in the Washington, DC metropolitan area. **Page S2874**

**Relative to Robert Levinson:** Committee on Foreign Relations was discharged from further consideration of S. Con. Res. 4, calling on the President and the allies of the United States to raise the case of Robert Levinson with officials of the Government of Iran at every level and opportunity, and urging officials of the Government of Iran to fulfill their promises of assistance to the family of Robert Levinson and to share information on the investigation into the disappearance of Robert Levinson with the Federal Bureau of Investigation, and the resolution was then agreed to. **Pages S2915–16**

**Congratulating Sailors:** Senate agreed to S. Con. Res. 10, congratulating the Sailors of the United States Submarine Force upon the completion of 1,000 Ohio-class ballistic missile submarine (SSBN) deterrent patrols. **Pages S2916–17**

#### Measures Considered:

**Omnibus Appropriations Act:** Senate resumed consideration of H.R. 1105, making omnibus appropriations for the fiscal year ending September 30, 2009, taking action on the following amendments proposed thereto: **Pages S2874–S2903**

#### Rejected:

By 32 yeas to 63 nays (Vote No. 86) McCain Amendment No. 593, to prohibit the use of certain funds provided in the bill. **Pages S2874, S2895–98, S2900**

By 34 yeas to 61 nays (Vote No. 87) Kyl Amendment No. 630, to require a report on counter-smuggling efforts in Gaza. **Pages S2874, S2889, S2890–92, S2900–01**

By 39 yeas to 56 nays (Vote No. 88) Kyl Amendment No. 631, to require the Secretary of State to certify that funds made available for reconstruction efforts in Gaza will not be diverted to Hamas or entities controlled by Hamas. **Pages S2874–81, S2892–95, S2901**

By 42 yeas to 53 nays (Vote No. 89) Enzi Amendment No. 668, to prohibit the use of funds to modify certain HIV/AIDS funding formulas. **Pages S2883, S2899–S2900, S2901–02**

Barrasso (and Enzi) Amendment No. 637, to remove the new application fee for a permit to drill. **Page S2902**

#### Pending:

Ensign Amendment No. 615, to strike the restrictions on the District of Columbia Opportunity Scholarship Program. **Pages S2874, S2878–83**

Kyl Amendment No. 629, to provide that no funds may be used to resettle Palestinians from Gaza into the United States. **Pages S2874, S2889**

Bunning Amendment No. 665, to require the Secretary of State to issue a report on investments by foreign companies in the energy sector of Iran. **Page S2895**

Sessions Amendment No. 604, to extend the pilot program for employment eligibility confirmation established in title IV of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 for 6 years. **Pages S2898–99**

A unanimous-consent-time agreement was reached providing the remaining amendments be considered and debated and that after all debate time has been concluded on the remaining amendments, Senate vote in relation to the amendments in a sequence established under a subsequent order; that there be two minutes of debate, equally divided and controlled in the usual form, prior to a vote in relation

to each amendment; provided further, that after the first vote in the sequence, the remaining vote times be limited to 10 minutes each; provided further, that upon disposition of all remaining amendments, there then be 30 minutes of debate, equally divided and controlled between the Majority and Republican Leaders, or their designees, prior to a vote on the motion to invoke cloture on the bill; and that upon disposition of the amendments and the Senate having voted on the motion to invoke cloture on the bill, and cloture having been invoked, all post-cloture time be considered yielded back, the bill be read a third time, and Senate vote on passage of the bill.

Page S2903

A unanimous-consent agreement was reached providing for further consideration of the bill at approximately 10 a.m. on Tuesday, March 10, 2008.

Page S2917

### Appointments:

**Senate National Security Working Group:** The Chair announced, on behalf of the Majority Leader, pursuant to the provisions of S. Res. 105, (adopted April 13, 1989), as amended by S. Res. 149, (adopted October 5, 1993), as amended by Public Law 105-275, (adopted October 21, 1998), further amended by S. Res. 75, (adopted March 25, 1999), and S. Res. 383, (adopted October 27, 2000), and amended by S. Res. 355, (adopted November 13, 2002), and further amended by S. Res. 480, (adopted November 21, 2004), appointed the following Senators as members of the Senate National Security Working Group for the 111th Congress: Senator Levin, Democratic Co-Chairman, Senator Kerry, Democratic Co-Chairman, Senator Lautenberg, Democratic Co-Chairman, Senator Dorgan, Senator Durbin, Senator Cardin, and Senator Byrd, as Majority Administrative Co-Chairman.

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**Nomination—Cloture Motion:** Senate began consideration of the nomination of David W. Ogden, of Virginia, to be Deputy Attorney General.

A motion was entered to close further debate on the nomination of David W. Ogden, of Virginia, to be Deputy Attorney General and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, a vote on cloture will occur on Wednesday, March 11, 2009.

Page S2903

**Nomination—Cloture Motion:** Senate began consideration of the nomination of Austan Dean Goolsbee, of Illinois, to be a Member of the Council of Economic Advisers.

A motion was entered to close further debate on the nomination of Austan Dean Goolsbee, of Illinois, to be a Member of the Council of Economic Advisers and, in accordance with the provisions of rule XXII

of the Standing Rules of the Senate, a vote on cloture will occur on Wednesday, March 11, 2009.

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**Nomination—Cloture Motion:** Senate began consideration of the nomination of Cecilia Elena Rouse, of California, to be Member of the Council of Economic Advisers.

A motion was entered to close further debate on the nomination of Cecilia Elena Rouse, of California, to be Member of the Council of Economic Advisers and, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, a vote on cloture will occur on Wednesday, March 11, 2009.

Pages S2903-04

**Messages from the House:** Page S2909

**Measures Placed on the Calendar:** Page S2909

**Executive Communications:** Page S2909

**Additional Cosponsors:** Pages S2910-11

**Statements on Introduced Bills/Resolutions:** Pages S2911-14

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**Amendments Submitted:** Page S2915

**Notices of Hearings/Meetings:** Page S2915

**Authorities for Committees To Meet:** Page S2915

**Privileges of the Floor:** Page S2915

**Record Votes:** Four record votes were taken today. (Total—89) Pages S2900-02

**Adjournment:** Senate convened at 2 p.m. and adjourned at 7:20 p.m., until 10 a.m. on Tuesday, March 10, 2009. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S2917.)

## Committee Meetings

(Committees not listed did not meet)

### NOMINATION

**Committee on Finance:** Committee concluded a hearing to examine the nomination of Ronald Kirk, of Texas, to be United States Trade Representative, with the rank of Ambassador, after the nominee, who was introduced by Senator Cornyn, testified and answered questions in his own behalf.

### PREVENTING WORKER EXPLOITATION

**Committee on Health, Education, Labor, and Pensions:** Committee concluded a hearing to examine preventing worker exploitation, focusing on protecting individuals with disabilities and other vulnerable populations, after receiving testimony from John L. McKeon, Deputy Administrator for Enforcement,

Wage and Hour Division, and James B. Leonard, former attorney, both of the Department of Labor; Curtis Decker, National Disability Rights Network,

Washington, DC; Joyce Bender, Bender Consulting Services, Pittsburgh, Pennsylvania; and Kim Bobo, Interfaith Worker Justice, Chicago, Illinois.

## House of Representatives

### *Chamber Action*

**Public Bills and Resolutions Introduced:** 22 public bills, H.R. 1382–1403; and 7 resolutions, H.J. Res. 39; and H. Res. 222–227, were introduced.

Pages H3103–05

**Additional Cosponsors:**

Pages H3105–06

**Report Filed:** A report was filed today as follows:

H.R. 1262, to amend the Federal Water Pollution Control Act to authorize appropriations for State water pollution control revolving funds, with an amendment (H. Rept. 111–26).

Page H3103

**Speaker:** Read a letter from the Speaker wherein she appointed Representative Edwards (MD) to act as Speaker pro tempore for today.

Page H3079

**Recess:** The House recessed at 12:36 p.m. and reconvened at 2 p.m.

Pages H3079–80

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

*Expressing the sense of the House of Representatives that providing breakfast in schools through the National School Breakfast Program has a positive impact on classroom performance:* H. Res. 210, to express the sense of the House of Representatives that providing breakfast in schools through the National School Breakfast Program has a positive impact on classroom performance, by a  $\frac{2}{3}$  yea-and-nay vote of 383 yeas to 11 nays, Roll No. 110;

Pages H3081–83, H3087–88

*Congratulating the National Assessment Governing Board on its 20th Anniversary in measuring student academic achievement:* H. Res. 222, to congratulate the National Assessment Governing Board on its 20th Anniversary in measuring student academic achievement, by a  $\frac{2}{3}$  yea-and-nay vote of 388 yeas to 9 nays with 1 voting “present”, Roll No. 111; and

Pages H3083–85, H3088

*Ronald Reagan Centennial Commission Act:* H.R. 131, amended, to establish the Ronald Reagan Centennial Commission, by a  $\frac{2}{3}$  recorded vote of 371 yeas to 19 noes with 1 voting “present”, Roll No. 112.

Pages H3085–87, H3088–89

**Recess:** The House recessed at 2:56 p.m. and reconvened at 6:30 p.m.

Page H3087

**Senate Message:** Message received from the Senate by the Clerk and subsequently presented to the House today appears on pages H3080–81.

**Quorum Calls—Votes:** Two yea-and-nay votes and one recorded vote developed during the proceedings of today and appear on pages H3087–88, H3088, and H3089. There were no quorum calls.

**Adjournment:** The House met at 12:30 p.m. and adjourned at 9:20 p.m.

### *Committee Meetings*

No committee meetings were held.

### *Joint Meetings*

No joint committee meetings were held.

### NEW PUBLIC LAWS

(For last listing of Public Laws, see DAILY DIGEST, p. D158)

H.J. Res. 38, making further continuing appropriations for fiscal year 2009. Signed on March 6, 2009. (Public Law 111–6)

### COMMITTEE MEETINGS FOR TUESDAY, MARCH 10, 2009

(Committee meetings are open unless otherwise indicated)

#### Senate

*Committee on Armed Services:* to hold hearings to examine current and future threats to the national security of the United States; with the possibility of a closed session to follow in SH–219, 9:30 a.m., SH–216.

*Committee on Banking, Housing, and Urban Affairs:* to hold hearings to examine enhancing investor protection and the regulation of securities markets, 10:30 a.m., SD–538.

*Committee on the Budget:* to hold hearings to examine the President’s proposed budget for fiscal year 2010, 2:30 p.m., SD–608.

*Committee on Energy and Natural Resources:* to hold hearings to examine proposed legislation to provide for the conduct of an in-depth analysis of the impact of energy

development and production on the water resources of the United States, 10 a.m., SD-366.

*Committee on Finance*: to hold hearings to examine the President's fiscal year 2010 health care proposals, 10 a.m., SD-215.

*Committee on Health, Education, Labor, and Pensions*: to hold hearings to examine rebuilding economic security, focusing on empowering workers to restore the middle class, 10 a.m., SD-106.

Full Committee, to hold hearings to examine the next generation of national service, 2:30 p.m., SD-430.

*Committee on the Judiciary*: to hold hearings to examine patent reform in the 111th Congress, focusing on legislation and recent court decisions, 10 a.m., SD-226.

Full Committee, to hold hearings to examine the nominations of Lanny A. Breuer, of the District of Columbia, Christine Anne Varney, of the District of Columbia, and Tony West, of California, each to be an Assistant Attorney General, 2:30 p.m., SD-226.

*Committee on Veterans' Affairs*: to hold an oversight hearing to examine budget for veterans programs for fiscal year 2010, 9:30 a.m., SR-418.

*Select Committee on Intelligence*: to hold hearings to examine the nomination of David S. Kris, of Maryland, to be an Assistant Attorney General, 2:30 p.m., SD-106.

### House

*Committee on Appropriations*, Subcommittee on Commerce, Justice, Science, and Related Agencies, on Major Challenges Facing Federal Prisons, 10 a.m., and 2 p.m., and on Offender Drug Abuse Treatment Approaches, 3 p.m., H-309 Capitol.

Subcommittee on Defense, on Marine Corps Ground Equipment, 10 a.m., H-140 Capitol.

Subcommittee on Financial Services and General Government, on Treasury Actions Relating to the Financial Crisis, 10 a.m., 2359 Rayburn.

Subcommittee on Homeland Security, on Secure Border Initiative and Control of the Land Border, 10 a.m., and on Department of Homeland Security Response to Violence on the Border with Mexico, 11:30 a.m., 2358-C Rayburn.

Subcommittee on State and Operations, on The Merida Initiative, 10 a.m., 2362A Rayburn.

Subcommittee on Transportation, Housing and Urban Development and Related Agencies, on Department of Transportation Inspector General and GAO, Top Management Challenges and High Risk, 10 a.m., 2358-A Rayburn.

*Committee on Armed Services*, Subcommittee on Seapower and Expeditionary Forces, hearing on Littoral Combat Ship program update, 10 a.m., 2118 Rayburn.

*Committee on Education and Labor*, Subcommittee on Health, Employment, Labor and Pensions, hearing on Strengthening Employer-Based Health Care, 10:30 a.m., 2175 Rayburn.

*Committee on Energy and Commerce*, Subcommittee on Energy and Environment, hearing on the Future of Coal under Climate Legislation, 9:30 a.m., 2322 Rayburn.

Subcommittee on Health, hearing on Making Health Care Work for American Families with emphasis on De-

signing a High Performance Healthcare System, 10 a.m., 2123 Rayburn.

*Committee on Financial Services*, hearing entitled "Exploring the Balance between Increased Credit Availability and Prudent Lending Standards," 10 a.m., 2128 Rayburn.

*Committee on Homeland Security*, Subcommittee on Emerging Threats, Cybersecurity, and Science and Technology, hearing entitled "Reviewing the Federal Cybersecurity Mission," 2 p.m., 311 Cannon.

*Committee on the Judiciary*, hearing on H.R. 848, Performance Rights Act, 10 a.m., 2141 Rayburn.

Subcommittee on Crime, Terrorism and Homeland Security, hearing on Sex Offender Registration and Notification Act (SORNA): Barriers to Timely Compliance by States, 2 p.m., 2141 Rayburn.

*Committee on Natural Resources*, Subcommittee on Water and Power, oversight hearing on Federal Power Marketing Administration Borrowing Authority: Defining Success, 2 p.m., 1324 Longworth.

*Committee on Oversight and Government Reform*, to mark up the following: the Electronic Message Preservation Act; H.R. 1320, Federal Advisory Committee Act Amendments of 2009; H.R. 1323, Reducing Information Control Designations Act; Title IV of H.R. 1256, Thrift Savings Plan Enhancement Act of 2009; H. Res. 166, Recognizing the 450th birthday of the settlement of Pensacola, Florida, and encouraging the people of the United States to observe the 450th birthday of the settlement of Pensacola, Florida, and remember how the rich history of Pensacola, Florida, has likewise contributed to the rich history of the United States; H. Res. 178, Expressing the need for enhanced public awareness of traumatic brain injury and support for the designation of a National Brain Injury Awareness Month; H. Res. 22, Expressing the sense of the House of Representatives that the Senate should ratify the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW); H.R. 918, To designate the facility of the United States Postal Service located at 300 East 3rd Street in Jamestown, New York, as the "Stan Lundine Post Office Building;" H.R. 955, to designate the facility of the United States Postal Service located at 10355 Northeast Valley Road in Rollingbay, Washington, as the "John 'Bud' Hawk Post Office;" H.R. 987, To designate the facility of the United States Postal Service located at 1601 8th Street in Freedom Pennsylvania as the "John Scott Challis, Jr., Post Office;" H.R. 1216, To designate the facility of the United States Postal Service located at 1100 Town and Country Commons in Chesterfield, Missouri, as the "Lance Corporal Matthew P. Pathenos Post Office Building;" H.R. 1217, To designate the facility of the United States Postal Service located at 15455 Manchester Road in Ballwin, Missouri, as the "Specialist Peter J. Navarro Post Office Building;" H.R. 1218, To designate the facility of the United States Postal Service located at 112 South 5th Street in Saint Charles, Missouri, as the "Lance Corporal Drew W. Weaver Post Office Building;" and H.R. 1284, To designate the facility of the United States Postal Services located at 103 West Main Street in McLain, Mississippi, as the "Major Ed W. Freeman Post Office;" 2 p.m., 2154 Rayburn.

*Committee on Science and Technology*, Subcommittee on Technology and Innovation, hearing on Strengthening Forensic Science in the United States: The Role of the National Institute of Standards and Technology, 10 a.m., 2318 Rayburn.

*Committee on Transportation and Infrastructure*, Subcommittee on Economic Development, Public Lands and Emergency Management, hearing on EDA Reauthorization: Rating Past Performances and Setting Goals During an Economic Crisis, 10 a.m., 2167 Rayburn.

*Committee on Veterans' Affairs*, hearing on U.S. Department of Veterans Affairs Budget Request for Fiscal Year 2010, 2 p.m., 334 Cannon.

*Committee on Ways and Means*, Subcommittee on Trade, to meet for organizational purposes, 11:15 a.m., 1100 Longworth.

*Permanent Select Committee on Intelligence*, executive briefing on National Intelligence Council, 4 p.m., 304 HVC.

### Joint Meetings

*Commission on Security and Cooperation in Europe*: to hold hearings to examine the impact of potential climate remediation policies on carbon-intensive United States industries and creating climate-friendly economic and trade policies, focusing on how the financial crisis impacts the implementation of climate-friendly policies within the United States and among trading partners, 10 a.m., SR-428A.

*Next Meeting of the SENATE*

10 a.m., Tuesday, March 10

## Senate Chamber

**Program for Tuesday:** Senate will continue consideration of H.R. 1105, Omnibus Appropriations Act, and after a period of debate vote on certain amendments, and then vote on the motion to invoke cloture on the bill.

(Senate will recess from 12:30 p.m. until 2:15 p.m. for their respective party conferences.)

*Next Meeting of the HOUSE OF REPRESENTATIVES*

10:30 a.m., Tuesday, March 10

## House Chamber

**Program for Tuesday:** Consideration of the following suspensions: (1) H. Con. Res. 64—Urging the President to designate 2009 as the “Year of the Military Family”;

(2) H. Con. Res. 37—Authorizing the use of the Capitol Grounds for the Greater Washington Soap Box Derby; (3) H. Con. Res. 38—Authorizing the use of the Capitol Grounds for the National Peace Officers’ Memorial Service; (4) H. Con. Res. 39—Authorizing the use of the Capitol Grounds for the District of Columbia Special Olympics Law Enforcement Torch Run; (5) H.R. 813—The “J. Herbert W. Small Federal Building and United States Courthouse” Designation Act; (6) H.R. 837—The “Ronald H. Brown United States Mission to the United Nations Building” Designation Act; (7) H.R. 842—The “R. Jess Brown United States Courthouse” Designation Act; (8) H.R. 869—The “Scott Reed Federal Building and United States Courthouse” Designation Act; (9) H.R. 887—The “James A. Leach United States Courthouse” Designation Act; (10) H. Res. 194—Supporting the goals of International Women’s Day; and (11) H. Res. Recognizing the plight of the Tibetan people on the 50th Anniversary of His Holiness the Dalai Lama being forced into exile, and calling for a sustained multilateral effort to bring about a durable and peaceful solution to the Tibet issue.

## Extensions of Remarks, as inserted in this issue

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