

Daily Digest

HIGHLIGHTS

Senator-designate Kirsten E. Gillibrand, of New York, was administered the oath of office by the Vice President.

The House passed S. 181, Lilly Ledbetter Fair Pay Act of 2009.

Senate

Chamber Action

Routine Proceedings, pages S851–S948

Measures Introduced: Seven bills and two resolutions were introduced, as follows: S. 330–336, and S. Res. 22–23. **Page S894**

Measures Reported:

S. 336, 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 the fiscal year ending September 30, 2009. (S. Rept. No. 111–3) **Page S893**

Measures Passed:

Catholic Schools Week: Senate agreed to S. Res. 22, recognizing the goals of Catholic Schools Week and honoring the valuable contributions of Catholic schools in the United States. **Page S946**

Honoring Andrew Wyeth: Senate agreed to S. Res. 23, honoring the life of Andrew Wyeth. **Pages S946–47**

Measures Considered:

Children’s Health Insurance Program Reauthorization Act: Senate continued consideration of H.R. 2, to amend title XXI of the Social Security Act to extend and improve the Children’s Health Insurance Program, taking action on the following amendments proposed thereto:

Pages S852–66, S867–81, S881–85

Adopted:

Reid (for Baucus) Amendment No. 39, in the nature of a substitute. **Pages S852–66, S867–81, S881–85**

Rejected:

DeMint Amendment No. 43 (to Amendment No. 39), to require States to impose cost-sharing for any individual enrolled in a State child health plan whose income exceeds 200 percent of the poverty

line. (By 60 yeas to 37 nays (Vote No. 16), Senate tabled the amendment.) **Pages S859–66, S867–80**

Hatch/Grassley Amendment No. 45 (to Amendment No. 39), to prohibit any Federal matching payment for Medicaid or CHIP coverage of noncitizen children or pregnant women until a State demonstrates that it has enrolled 95 percent of the children eligible for Medicaid or CHIP who reside in the State and whose family income does not exceed 200 percent of the poverty line.

Pages S857–59, S880–81

Pending:

McConnell Amendment No. 40 (to Amendment No. 39), in the nature of a substitute. **Pages S852–54**

Grassley Amendment No. 41 (to Amendment No. 39), to strike the option to provide coverage to legal immigrants and increase the enrollment of uninsured low income American children. **Pages S854–57**

A unanimous-consent-time agreement was reached providing for further consideration of the bill at 10 a.m., on Wednesday, January 28, 2009, and that the time until 11 a.m. be for debate relative to McConnell Amendment No. 40 (to H.R. 2, as amended) (listed above), with the time equally divided and controlled between the Majority and Republican Leaders, or their designees; that no amendments be in order to the amendment prior to a vote on or in relation to the amendment, and that at 11 a.m., Senate vote on or in relation to the amendment; provided further that if McConnell Amendment No. 40 (to H.R. 2, as amended) is agreed to, the bill, as thus amended, be considered as original text for the purpose of further amendments. **Page S885**

Announcements:

Democratic Committee Assignments: The Majority Leader announced, in accordance with S. Res. 18, that the following Democratic members have been assigned to the following committees:

Committee on Agriculture, Nutrition, and Forestry: Senators Bennet and Gillibrand.

Committee on Banking, Housing, and Urban Affairs: Senator Bennet.

Committee on Environment and Public Works: Senator Gillibrand.

Committee on Foreign Relations: Senator Gillibrand.

Committee on Homeland Security and Governmental Affairs: Senator Bennet.

Special Committee on Aging: Senators Bennet and Gillibrand. **Pages S878–79**

Appointments:

Mexico-U.S. Interparliamentary Group: The Chair, on behalf of the Vice President, pursuant to 22 U.S.C. 276h–276k, as amended, appointed the following Senator as Chairman to the Mexico-U.S. Interparliamentary Group conference for the 111th Congress:

Senator Dodd. **Page S947**

Nomination Confirmed: Senate confirmed the following nomination:

By 96 yeas 1 nay (Vote No. EX. 17), Daniel K. Tarullo, of Massachusetts, to be a Member of the Board of Governors of the Federal Reserve System for a term of fourteen years from February 1, 2008.

Page S881

Nomination Received: Senate received the following nomination:

Timothy F. Geithner, of New York, to be United States Governor of the International Monetary Fund for a term of five years; United States Governor of the International Bank for Reconstruction and Development for a term of five years; United States Governor of the Inter-American Development Bank for a term of five years; United States Governor of the African Development Bank for a term of five years; United States Governor of the Asian Development Bank; United States Governor of the African Development Fund; United States Governor of the European Bank for Reconstruction and Development.

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Messages From the House: **Page S892**

Executive Communications: **Pages S892–93**

Executive Reports of Committees: **Pages S893–94**

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Statements on Introduced Bills/Resolutions: **Pages S894–S900**

Additional Statements: **Page S892**

Amendments Submitted: **Pages S900–45**

Authorities for Committees To Meet: **Pages S945–46**

Privileges of the Floor: **Page S946**

Record Votes: Two record votes were taken today. (Total—17) **Pages S890, S891**

Adjournment: Senate convened at 10 a.m. and adjourned at 7:22 p.m., until 10 a.m. on Wednesday, January 28, 2009. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S948.)

Committee Meetings

(Committees not listed did not meet)

BUSINESS MEETING

Committee on Appropriations: Committee ordered favorably reported S. 336, 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 the fiscal year ending September 30, 2009.

Also, committee adopted its rules of procedure for the 111th Congress.

BUSINESS MEETING

Committee on Armed Services: Committee ordered favorably reported 654 nominations in the Army, Navy, Air Force, and Marine Corps.

DEPARTMENT OF DEFENSE

Committee on Armed Services: Committee concluded a hearing to examine challenges facing the Department of Defense, after receiving testimony from Robert M. Gates, Secretary of Defense.

INVESTMENT SECURITIES FRAUD

Committee on Banking, Housing, and Urban Affairs: Committee concluded a hearing to examine investment securities fraud, focusing on regulatory and oversight concerns, after receiving testimony from Lori A. Richards, Director, Office of Compliance Inspections and Examinations, and Linda Chatman Thomsen, Director, Division of Enforcement, both of the Securities and Exchange Commission; John C. Coffee, Jr., Columbia University Law School, New York, New York; Stephen I. Luparello, Financial Industry Regulatory Authority, and Stephen P. Harbeck, Securities Investor Protection Corporation, both of Washington, D.C.; and Henry A. Backe, Jr., Fairfield, Connecticut.

PUBLIC HEALTH

Committee on Health, Education, Labor, and Pensions: Committee concluded a hearing to examine access to prevention and public health for high risk populations, after receiving testimony from Risa Lavizzo-

Mourey, Robert Wood Johnson Foundation, Princeton, New Jersey; David Stevens, National Association of Community Health Centers, Bethesda, Maryland; Michael Meit, University of Chicago National Option Research Center, Chicago, Illinois; Lisa I. Iezzoni, Harvard Medical School, Cambridge, Massachusetts; Robert N. Butler, International Longevity Center, New York, New York; and Joseph F. Hagan, Jr., University of Vermont College of Medicine, Burlington, on behalf of the American Academy of Pediatricians.

DIGITAL AGE PRIVACY

Committee on the Judiciary: Committee concluded a hearing to examine health information technology (IT), focusing on protecting Americans' privacy in the digital age, after receiving testimony from James Hester, Vermont State Legislature Health Care Reform Commission, Montpelier; Adrienne Hahn, Consumers Union, Deven McGraw, Center for Democracy and Technology Health Privacy Project, and David Merritt, Center for Health Transformation, all of Washington, D.C.; Michael Stokes, Microsoft Corporation Health Solutions Group, Eagle, Idaho; and John P. Houston, University of Pittsburgh Medical Center, Pittsburgh, Pennsylvania.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 37 public bills, H.R. 699–732; 1 private bill, H.R. 733; and 7 resolutions, H. Con. Res. 26–28; and H. Res. 91, 93–95 were introduced. **Pages H601–02**

Additional Cosponsors: **Pages H602–03**

Reports Filed: Reports were filed today as follows:

H.R. 598, to provide for a portion of the economic recovery package relating to revenue measures, unemployment, and health, with an amendment (H. Rept. 111–8, Pt. 1) and H. Res. 92, providing for further consideration of the bill (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 the fiscal year ending September 30, 2009 (H. Rept. 111–9). **Pages H600–01**

Speaker: Read a letter from the Speaker wherein she appointed Representative Jackson-Lee (TX) to act as Speaker Pro Tempore for today. **Page H529**

Recess: The House recessed at 10:48 a.m. and reconvened at 12 noon. **Pages H530–31**

Providing for an adjournment of the House: The House agreed to H. Con. Res. 26, providing for an adjournment of the House. **Page H543**

Investigative Subcommittees of the Committee on Standards of Official Conduct: The Chair announced that the Speaker named the following Members of the House of Representatives to be available to serve on investigative subcommittees of the Committee on Standards of Official Conduct for

the 111th Congress: Representative Gene Green (TX) and Representative Scott (GA). **Page H546**

Investigative Subcommittees of the Committee on Standards of Official Conduct: Read a letter from Representative Boehner, Minority Leader, in which he designated the following Member of the House of Representatives to be available for service on the investigative subcommittee of the Committee on Standards of Official Conduct during the 111th Congress: Representative Hastings (WA). **Page H546**

Lilly Ledbetter Fair Pay Act of 2009: The House passed S. 181, to amend title VII of the Civil Rights Act of 1964 and the Age Discrimination in Employment Act of 1967, and to modify the operation of the Americans with Disabilities Act of 1990 and the Rehabilitation Act of 1973, to clarify that a discriminatory compensation decision or other practice that is unlawful under such Acts occurs each time compensation is paid pursuant to the discriminatory compensation decision or other practice, by a yeand-nay vote of 250 yeas to 177 nays, Roll No. 37. **Pages H546–54, H556**

Rejected the McKeon motion to commit the bill to the Committee on Education and Labor, by a yeand-nay vote of 176 yeas to 250 nays, Roll No. 36. **Pages H554–56**

H. Res. 87, the rule providing for consideration of the bill, was agreed to by a yeand-nay vote of 252 yeas to 174 nays, Roll No. 33, after agreeing to order the previous question by a yeand-nay vote of 252 yeas to 175 nays, Roll No. 32. **Pages H532–35, H543–44**

Question of Consideration: The House agreed to consider 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, by a recorded vote of 224 ayes to 199 noes, Roll No. 38. **Pages H556–57**

American Recovery and Reinvestment Act of 2009: The House began 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. Further proceedings were postponed until tomorrow, January 28th. **Pages H557–83**

H. Res. 88, the rule providing for consideration of the bill, was agreed to by a yea-and-nay vote of 235 yeas to 191 nays, Roll No. 35, after agreeing to order the previous question by a yea-and-nay vote of 244 yeas to 183 nays, Roll No. 34. **Pages H535–43, H545–46**

Suspension—Proceedings Postponed: The House debated the following measure under suspension of the rules. Further proceedings were postponed until tomorrow, January 28th:

DTV Delay Act: S. 328, to postpone the DTV transition date. **Pages H584–93**

Senate Message: Message received from the Senate today appears on page H531.

Senate Referrals: S. 328 was held at the desk.

Amendments: Amendments ordered printed appear on page H603.

Quorum Calls—Votes: Six yea-and-nay votes and one recorded vote developed during the proceedings of today and appear on pages H543–44, H544, H545, H545–46, H555, H566, and H566–67. There were no quorum calls.

Adjournment: The House met at 10:30 a.m. and adjourned at 10:13 p.m.

Committee Meetings

DEFENSE DEPARTMENT PRIORITIES

Committee on Armed Services: Held a hearing on the priorities of the Department of Defense in the new Administration. Testimony was heard from Robert M. Gates, Secretary of Defense.

ECONOMIC OUTLOOK AND BUDGET CHALLENGES

Committee on the Budget: Held a hearing on the Economic Outlook and Budget Challenges. Testimony was heard from Douglas Elmendorf, Director, CBO;

Alice M. Rivlin, former Director of OMB and CBO; and public witnesses.

COMMITTEE ORGANIZATION

Committee on Financial Services: Met for organizational purposes.

COMMITTEE ORGANIZATION; COMMITTEE OVERSIGHT PLAN

Committee on House Administration: Met for organizational purposes.

The Committee also approved the Committee's Oversight Plan for the 111th Congress.

BANKRUPTCY PREVENTION; COMMITTEE OVERSIGHT

Committee on the Judiciary: Ordered reported, as amended, H.R. 200, Helping Families Save Their Homes in Bankruptcy Act of 2009.

The Committee also approved the Committee's Oversight Plan for the 111th Congress.

DC HOUSE VOTING RIGHTS ACT

Committee on the Judiciary: Subcommittee on Constitution, Civil Rights, and Civil Liberties held a hearing on H.R. 157, District of Columbia House Voting Rights Act of 2009. Testimony was heard from Representatives Hoyer, Chaffetz and Gohmert; former Representative Tom Davis of Virginia; and public witnesses.

AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009

Committee on Rules: Granted, by a vote of 9 to 2, a rule providing for further consideration of H.R. 1, the "American Recovery and Reinvestment Act of 2009." The rule provides an additional one hour of general debate equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations. The rule provides that the amendment printed in part A of the report of the Committee on Rules shall be considered as adopted in the House and in the Committee of the Whole. The bill, as amended, shall be considered as the original bill for purpose of further amendment and shall be considered as read. The rule waives all points of order against provisions of the bill, as amended. The rule provides that no further amendment shall be in order except those printed in part B of the Rules Committee report. Each further amendment may be offered only in the order printed, may be offered only by a Member designated, shall be considered as read, shall be debatable for the time specified equally divided and controlled by the proponent and an opponent, and shall not be subject to amendment or demand for division of the question. The rule waives all points of order against such

further amendments except those arising under clause 9 of rule XXI. The rule provides one motion to recommit with or without instructions. The rule provides that the chair of the Committee on Appropriations shall insert in the Congressional Record not later than February 4, 2009, such materials as he may deem explanatory of appropriations measures for fiscal year 2009. Finally, the rule provides that the chair of the Committee on Ways and Means may file a supplemental report to accompany H.R. 598. Testimony was heard from Representatives Blumenauer, Pascrell, Inslee, DeFazio, Waters, Nadler, Brown of Florida, Jackson-Lee of Texas, Cummings, Sanchez, Grijalva, Davis of California, Lipinski, Kagen, Sestak, Speier, Edwards of Maryland, Kissel, Peters, Teague, Bordallo, Lewis of California, Kingston, Kirk, Ryan of Wisconsin, Stearns, Rogers of Michigan, Tim Murphy of Pennsylvania, Hoekstra, Manzullo, Rogers of Alabama, Barrett of South Carolina, Garrett of New Jersey, Turner, Neugebauer, Heller of Nevada, Lamborn and Scalise.

ENERGY REDUCTION/ENVIRONMENTAL SUSTAINABILITY

Committee on Transportation and Infrastructure: Subcommittee on Highways and Transit held a hearing on Energy Reduction and Environmental Sustainability in Surface Transportation. Testimony was heard from John D. Porcari, Secretary of Transportation, Department of Transportation, State of Maryland; Robit Aggarwala, Director, Office of Long Term Planning and Sustainability, New York City; and public witnesses.

Joint Meetings

No joint committee meetings were held.

COMMITTEE MEETINGS FOR WEDNESDAY, JANUARY 28, 2009

(Committee meetings are open unless otherwise indicated)

Senate

Committee on the Budget: to hold hearings to examine Federal response to the housing and financial crisis, 10 a.m., SD-608.

Committee on Foreign Relations: to hold hearings to examine global climate change, 10 a.m., SD-419.

Committee on Homeland Security and Governmental Affairs: to hold hearings to examine lessons from the Mumbai, India terrorist attacks, 10 a.m., SD-342.

Subcommittee on Federal Financial Management, Government Information, Federal Services, and International Security, to hold hearings to examine impact of the economic crisis on the U.S. Postal Service, 2:30 p.m., SD-342.

Committee on the Judiciary: business meeting to consider the nomination of Eric H. Holder, Jr., to be Attorney General, 10 a.m., SH-216.

Committee on Veterans' Affairs: to hold hearings to examine veterans organizations' priorities for the 111th Congress, 9:30 a.m., SR-418.

Select Committee on Intelligence: closed business meeting to consider pending calendar business, 2:30 p.m., SH-219.

House

Committee on Agriculture, to meet for organizational purposes, and to consider the Committee's Oversight Plan for the 111th Congress, 11 a.m., 1300 Longworth.

Committee on Armed Services, Subcommittee on Military Personnel, hearing on Sexual Assault in the Military: Victim Support and Advocacy, 10 a.m., 2118 Rayburn.

Committee on Foreign Affairs, to meet for organizational purposes, 10 a.m., 2172 Rayburn.

Committee on Science and Technology, to meet for organizational purposes, and to consider the Committee's Oversight Plan for the 111th Congress, 10 a.m., 2318 Rayburn.

Committee on Small Business, to meet for organizational purposes, 1 p.m., 2360 Rayburn.

Committee on Transportation and Infrastructure, Subcommittee on Railroads, Pipelines, and Hazardous Materials, hearing on Freight and Passenger Rail: Present and Future Roles, Performance, Benefits, and Needs, 10 a.m., 2167 Rayburn.

Next Meeting of the SENATE

10 a.m., Wednesday, January 28

Next Meeting of the HOUSE OF REPRESENTATIVES

10 a.m., Wednesday, January 28

Senate Chamber

Program for Wednesday: Senate will continue consideration of H.R. 2, Children's Health Insurance Program Reauthorization Act, and after a period of debate, vote on or in relation to McConnell Amendment No. 40 (to H.R. 2, as amended) at 11 a.m.

House Chamber

Program for Wednesday: Resume consideration of H.R. 1—American Recovery and Reinvestment Act of 2009.

Extensions of Remarks, as inserted in this issue

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