

# Daily Digest

## Senate

### Chamber Action

*Routine Proceedings, pages S1615–S1772*

**Measures Introduced:** Eight bills and three resolutions were introduced, as follows: S. 384–391, and S. Res. 28–30. **Page S1677**

#### Measures Reported:

S. Res. 28, authorizing expenditures by the Senate Committee on Indian Affairs.

S. Res. 30, authorizing expenditures by the Committee on Foreign Affairs. **Page S1677**

#### 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 S1617–76**

##### Adopted:

Dorgan Modified Amendment No. 138 (to Amendment No. 98), to provide for reports on the use of funds made available under this Act and the economic impact made by the expenditure or obligation of such funds. **Page S1660**

Dodd Amendment No. 354 (to Amendment No. 98), to impose executive compensation limitations with respect to entities assisted under the Troubled Asset Relief Program. **Pages S1617, S1660–61**

Baucus (for McCaskill) Amendment No. 125 (to Amendment No. 98), to limit compensation to officers and directors of entities receiving emergency economic assistance from the Government. **Pages S1617, S1661**

Baucus (for McCaskill) Further Modified Amendment No. 236 (to Amendment No. 98), to establish funding levels for various offices of inspectors general and to set a date until which such funds shall remain available. **Pages S1617, S1663–64**

Baucus (for Boxer) Further Modified Amendment No. 363, to ensure the expeditious completion of National Environmental Policy Act reviews under applicable law. **Pages S1617, S656, S1664–65**

#### Rejected:

By 32 yeas to 65 nays (Vote No. 46), Feingold Amendment No. 140 (to Amendment No. 98), to provide greater accountability of taxpayers' dollars by curtailing congressional earmarking and requiring disclosure of lobbying by recipients of Federal funds. **Pages S1617, S1658–59, S1659–60**

By 43 yeas to 54 nays (Vote No. 47), Barrasso (for DeMint) Amendment No. 189 (to Amendment No. 98), to allow the free exercise of religion at institutions of higher education that receive funding under section 803 of division A. **Pages S1617, S1650–51, S1661**

Barrasso Amendment No. 326 (to Amendment No. 98), to expedite reviews required to be carried out under the National Environmental Policy Act of 1969. **Pages S1617, S1665**

#### Withdrawn:

Baucus (for Dorgan) Amendment No. 200 (to Amendment No. 98), to amend the Internal Revenue Code of 1986 to provide for the taxation of income of controlled foreign corporations attributable to imported property. **Pages S1617, S1660**

Baucus (for Harkin/Stabenow) Amendment No. 338 (to Amendment No. 98), to require the Secretary of the Treasury to carry out a program to enable certain individuals to trade certain old automobiles for certain new automobiles. **Pages S1617, S1661**

#### Pending:

Reid (for Inouye/Baucus) Amendment No. 98, in the nature of a substitute. **Page S1617**

Murray Amendment No. 110 (to Amendment No. 98), to strengthen the infrastructure investments made by the bill. **Page S1617**

Baucus (for Dodd) 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 S1617, S1661**

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. (By 1 yea to 96 nays)

(Vote No. 50), Senate earlier failed to table the amendment.) **Pages S1665–66, S1670**

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

**Pages S1666–67**

Coburn Amendment No. 309 (to Amendment No. 98), to ensure that taxpayer money is not lost on wasteful and non-stimulative projects.

**Pages S1667–69**

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 S1669–70**

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

By 40 yeas to 57 nays (Vote No. 45), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive pursuant to section 306 of the Congressional Budget Act of 1974, with respect to McCain Modified Amendment No. 364 (to Amendment No. 98), in the nature of a substitute. Subsequently, the point of order that the amendment was in violation of section 306 of the Congressional Budget Act of 1974, was sustained, and the amendment thus fell.

**Pages S1617–50, S1656, S1659**

By 35 yeas to 62 nays (Vote No. 48), three-fifths of those Senators duly chosen and sworn not having voted in the affirmative, Senate rejected the motion to waive the Congressional Budget Act of 1974 with respect to Ensign Amendment No. 353 (to Amendment No. 98), in the nature of a substitute. Subsequently, a point of order that the amendment was in violation of section 302(f) of the Congressional Budget Act of 1974 was sustained, and the amendment thus fell.

**Pages S1617, S1662**

By 37 yeas to 60 nays (Vote No. 49), three-fifths of those Senators duly chosen and sworn not having voted in the affirmative, Senate rejected the motion to waive the Congressional Budget Act of 1974 with respect to Grassley (for Thune) Amendment No. 197 (to Amendment No. 98), in the nature of a substitute. Subsequently, a point of order that the amendment was in violation of section 311(a)(2)(b) of the Congressional Budget Act of 1974 was sustained, and the amendment thus fell.

**Pages S1617, S1653–55, S1664**

A unanimous-consent agreement was reached providing for further consideration of the bill at 10 a.m., on Friday, February 6, 2009.

**Page S1772**

**Messages from the House:**

**Page S1677**

**Measures Referred:**

**Page S1677**

**Executive Reports of Committees:**

**Page S1677**

**Additional Cosponsors:**

**Pages S1677–79**

**Statements on Introduced Bills/Resolutions:**

**Pages S1679–89**

**Additional Statements:**

**Page S1677**

**Amendments Submitted:**

**Pages S1689–S1771**

**Authorities for Committees to Meet:**

**Pages S1771–72**

**Record Votes:** Six record votes were taken today. (Total—50) **Pages S1659, S1660, S1661, S1662, S1664, S1670**

**Adjournment:** Senate convened at 9:30 a.m. and adjourned at 9:04 p.m., until 10 a.m. on Friday, February 6, 2009. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S1772.)

## Committee Meetings

*(Committees not listed did not meet)*

### FOOD SAFETY

*Committee on Agriculture, Nutrition, and Forestry:* Committee concluded a hearing to examine federal food safety relative to the peanut products recall, after receiving testimony from Stephen Sundlof, Director, Center for Food Safety and Applied Nutrition, Michael Chappell, Acting Associate Commissioner, Regulatory Affairs, and William K. Hubbard, Former Senior Associate Commissioner for Policy, Planning, and Legislation, all of the Food and Drug Association, Department of Health and Human Services; Rear Admiral Ali S. Khan, Assistant Surgeon General, Centers for Disease Control and Prevention; Caroline Smith DeWaal, Center for Science in the Public Interest, Washington, D.C.; and Gabrielle Meunier, Burlington, Vermont.

### BUSINESS MEETING

*Committee on Armed Services:* Committee ordered favorably reported the nominations of William J. Lynn, III, to be Deputy Secretary, Robert F. Hale, to be Under Secretary (Comptroller) and Chief Financial Officer, Michèle Flournoy, to be Under Secretary for Policy, and Jeh Charles Johnson, to be General Counsel, all of the Department of Defense.

### TARP

*Committee on Banking, Housing, and Urban Affairs:* Committee concluded a hearing to examine the Troubled Asset Relief Program (TARP), focusing on oversight of the financial rescue package, after receiving testimony from Gene L. Dodaro, Acting Comptroller General, Government Accountability Office; and Neil M. Barofsky, Special Inspector General, and Elizabeth Warren, Chair, Congressional Oversight