

# Daily Digest

## Senate

### Chamber Action

*Routine Proceedings, pages S12261–S12354*

**Measures Introduced:** Eleven bills and three resolutions were introduced, as follows: S. 2825–2835, and S. Res. 367–369. **Page S12321**

#### Measures Reported:

S. 372, to amend chapter 23 of title 5, United States Code, to clarify the disclosures of information protected from prohibited personnel practices, require a statement in nondisclosure policies, forms, and agreements that such policies, forms, and agreements conform with certain disclosure protections, provide certain authority for the Special Counsel, with an amendment in the nature of a substitute. (S. Rept. No. 111–101)

S. 1353, to amend title 1 of the Omnibus Crime Control and Safe Streets Act of 1986 to include non-profit and volunteer ground and air ambulance crew members and first responders for certain benefits, with an amendment in the nature of a substitute.

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#### Measures Passed:

*National Miners Day:* Committee on the Judiciary was discharged from further consideration of S. Res. 337, designating December 6, 2009, as “National Miners Day”, and the resolution was then agreed to.

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*Collection for Charitable Purposes in Senate Buildings:* Senate agreed to S. Res. 369, to permit the collection of clothing, toys, food, and housewares during the holiday season for charitable purposes in Senate buildings.

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#### Measures Considered:

**Service Members Home Ownership Tax Act—Agreement:** Senate continued consideration of H.R. 3590, to amend the Internal Revenue Code of 1986 to modify the first-time homebuyers credit in the case of members of the Armed Forces and certain other Federal employees, taking action on the following amendments proposed thereto:

**Pages S12265–S12300, S12301–17**

#### Adopted:

By 61 yeas to 39 nays (Vote No. 355), Mikulski Amendment No. 2791 (to Amendment No. 2786), to clarify provisions relating to first dollar coverage for preventive services for women. (Pursuant to the order of Wednesday, December 2, 2009, the amendment having achieved 60 affirmative votes, was agreed to). **Pages S12265, S12277**

By a unanimous vote of 100 yeas (Vote 357), Bennet Amendment No. 2826 (to Amendment No. 2786), to protect and improve guaranteed Medicare benefits. (Pursuant to the order of Wednesday, December 2, 2009, the amendment having achieved 60 affirmative votes, was agreed to). **Pages S12278–93**

#### Withdrawn:

By 41 yeas to 59 nays (Vote No. 356), Murkowski Amendment No. 2836 (to Amendment No. 2786), to ensure patients receive doctor recommendations for preventive health services, including mammograms and cervical cancer screening, without interference from government or insurance company bureaucrats. (Pursuant to the order of Wednesday, December 2, 2009, the amendment having failed to achieve 60 affirmative votes, be withdrawn). **Pages S12276–77**

By 42 yeas to 58 nays (Vote No. 358), McCain motion to commit the bill to the Committee on Finance, with instructions. (Pursuant to the order of Wednesday, December 2, 2009, the amendment having failed to achieve 60 affirmative votes, be withdrawn). **Pages S12265, S12293–94**

#### Pending:

Reid Amendment No. 2786, in the nature of a substitute. **Pages S12265–S12300, S12301–17**

Whitehouse Amendment No. 2870 (to Amendment No. 2786), to promote fiscal responsibility by protecting the Social Security surplus and CLASS program savings in this Act. **Pages S12303–06**

Hatch motion to commit the bill to the Committee on Finance, with instructions. **Pages S12306–17**

A unanimous-consent agreement was reached providing for further consideration of the bill after any Leader remarks on Friday, December 4, 2009, with debate only in order until 11:30 a.m., with no

amendments, motions to commit, or any other motion, other than a motion to reconsider a vote, if applicable, in order during this period, except those that are currently pending; with the time after the Leader time, equally divided and controlled between the two Leaders, or their designees, with the Majority controlling the first portion of time. **Page S12317**

**Treaty Approved:** The following treaty having passed through its various parliamentary stages, up to and including the presentation of the resolution of ratification, upon division, two-thirds of the Senators present having voted in the affirmative, the resolution of ratification was agreed to:

Protocol Amending Tax Convention with France (Treaty Doc. 111-4) with 1 declaration and 1 condition. **Pages S12350-51**

**Nominations Confirmed:** Senate confirmed the following nominations:

David Morris Michaels, of Maryland, to be an Assistant Secretary of Labor.

Victoria Angelica Espinel, of the District of Columbia, to be Intellectual Property Enforcement Coordinator, Executive Office of the President.

Alan C. Kessler, of Pennsylvania, to be a Governor of the United States Postal Service for a term expiring December 8, 2015.

Lawrence G. Romo, of Texas, to be Director of the Selective Service.

3 Air Force nominations in the rank of general.

5 Army nominations in the rank of general.

5 Navy nominations in the rank of admiral.

Routine lists in the Air Force, Army, and Navy.

**Pages S12351, S12353-54**

**Nominations Received:** Senate received the following nominations:

Donald L. Cook, of Washington, to be Deputy Administrator for Defense Programs, National Nuclear Security Administration.

Malcolm Ross O'Neill, of Virginia, to be an Assistant Secretary of the Army.

Jackalyne Pfannenstiel, of California, to be an Assistant Secretary of the Navy.

Douglas B. Wilson, of Arizona, to be an Assistant Secretary of Defense.

Brooke D. Anderson, of California, to be Alternate Representative of the United States of America for Special Political Affairs in the United Nations, with the rank of Ambassador.

Brooke D. Anderson, of California, to be an Alternate Representative of the United States of America to the Sessions of the General Assembly of the United Nations, during her tenure of service as Alternate Representative of the United States of America for Special Political Affairs in the United Nations.

Rosemary Anne DiCarlo, of the District of Columbia, to be the Deputy Representative of the United States of America to the United Nations, with the rank and status of Ambassador, and the Deputy Representative of the United States of America in the Security Council of the United Nations.

Rosemary Anne DiCarlo, of the District of Columbia, to be Representative of the United States of America to the Sessions of the General Assembly of the United Nations, during her tenure of service as Deputy Representative of the United States of America to the United Nations.

Nancy D. Freudenthal, of Wyoming, to be United States District Judge for the District of Wyoming.

Denzil Price Marshall, Jr., of Arkansas, to be United States District Judge for the Eastern District of Arkansas.

Benita Y. Pearson, of Ohio, to be United States District Judge for the Northern District of Ohio.

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**Messages from the House:**

**Page S12320**

**Measures Referred:**

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**Executive Communications:**

**Pages S12320-21**

**Executive Reports of Committees:**

**Pages S12321-22**

**Additional Cosponsors:**

**Pages S12322-23**

**Statements on Introduced Bills/Resolutions:**

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**Additional Statements:**

**Page S12319**

**Amendments Submitted:**

**Pages S12333-49**

**Authorities for Committees to Meet:**

**Pages S12349-50**

**Privileges of the Floor:**

**Page S12350**

**Record Votes:** Four record votes were taken today. (Total—358)

**Pages S12277, S12293**

**Adjournment:** Senate convened at 9:30 a.m. and adjourned at 8:32 p.m., until 9:30 a.m. on Friday, December 4, 2009. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S12353.)

## *Committee Meetings*

*(Committees not listed did not meet)*

### NOMINATION

*Committee on Banking, Housing, and Urban Affairs:* Committee concluded a hearing to examine the nomination of Ben S. Bernanke, of New Jersey, to be Chairman of the Board of Governors of the Federal Reserve System, after the nominee testified and answered questions in his own behalf.