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Vol. 156

WASHINGTON, MONDAY, FEBRUARY 8, 2010

No. 19

## House of Representatives

The House was not in session today. Its next meeting will be held on Tuesday, February 9, 2010, at 12:30 p.m.

## Senate

MONDAY, FEBRUARY 8, 2010

The Senate met at 2 p.m. and was called to order by the Honorable MARK R. WARNER, a Senator from the Commonwealth of Virginia.

### PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal Father, God of power and love, the snow-covered Earth reminds us of Your majesty and might, and we thank You for Your sustaining power. Because of You, we live and move and breathe and have our being. Forgive us when we fail to hear You whisper in nature's declarations as the heavens speak of Your glory and the skies show forth Your handiwork. Lord, continue to order the steps of our lawmakers so that their thoughts, words and actions will be acceptable to You. Give them such wisdom that Your will may be done on Earth even as it is done in Heaven. Infuse us all with a positive spirit as we face the challenges of this day and the week ahead. We pray in Your loving Name. Amen.

### PLEDGE OF ALLEGIANCE

The Honorable MARK R. WARNER led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

### APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication

to the Senate from the President pro tempore (Mr. BYRD).

The assistant legislative clerk read the following letter:

U.S. SENATE,  
PRESIDENT PRO TEMPORE,  
Washington, DC, February 8, 2010.

*To the Senate:*

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable MARK R. WARNER, a Senator from the Commonwealth of Virginia, to perform the duties of the Chair.

ROBERT C. BYRD,  
*President pro tempore.*

Mr. WARNER thereupon assumed the chair as Acting President pro tempore.

### RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

### MODIFICATION OF EXECUTIVE CALENDAR ORDERS

Mr. REID. Mr. President, this has been a historic storm. I was in Nevada. I left Friday morning, early, and had a beautiful weekend there—highs in the low 60s. But getting back here was another story. It was very, very difficult, and though I am here, a lot of Senators simply have not been able to get here.

Staff is also under great duress to get here. The subway—the Metro, as we call it—which is so important to people who live and work here, is basically only an underground transit vehicle now. Anything above the ground is not working. So if you live right in DC, you

might be all right, but if you are either in Maryland or Virginia, you can't get here if you have to depend on the subway.

As a result of that, we have had to change things. Even those who get here have extreme difficulty in driving. The police and authorities are still recommending that people not go on the roads. They are dangerous and difficult, and some, especially if you get off the main drag, are impassable. As a result of that, Mr. President, we are going to have to change things around here. And as you know, all the reports are that there is a 90 percent chance we are going to have another big storm tomorrow.

Having said that, Mr. President, as in executive session, I ask unanimous consent that the orders with respect to Calendar Nos. 468 and 688 be modified to provide that the orders be delayed to occur at 2 p.m., Tuesday, February 9, under the same conditions and limitations as provided under the original order of February 4, 2010.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

### MESSAGE FROM THE HOUSE

ENROLLED BILL AND JOINT RESOLUTION SIGNED

The PRESIDENT pro tempore (Mr. BYRD) reported that he had signed the following enrolled bill and joint resolution, which had previously been signed by the Speaker of the House:

H.R. 730. An act to strengthen efforts in the Department of Homeland Security to develop nuclear forensics capabilities to permit attribution of the source of nuclear material, and for other purposes.

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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S507

H.J. Res. 45, a joint resolution increasing the statutory limit on the public debt.

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ADDITIONAL COSPONSORS

S. 1589

At the request of Ms. CANTWELL, the name of the Senator from Iowa (Mr. HARKIN) was added as a cosponsor of S. 1589, a bill to amend the Internal Revenue Code of 1986 to modify the incentives for the production of biodiesel.

ORDER OF PROCEDURE—  
EXECUTIVE CALENDAR

Mr. REID. Mr. President, I ask unanimous consent that on Tuesday, after any leader remarks, the Senate proceed to executive session as provided for under the modified order of February 4.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

RECESS UNTIL 2 P.M. TOMORROW

Mr. REID. Mr. President, I ask unanimous consent that the Senate stand in recess until 2 p.m., Tuesday, February 9.

There being no objection, the Senate, at 2:05 p.m., recessed until Tuesday, February 9, 2010, at 2 p.m.

## EXTENSIONS OF REMARKS

## SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Tuesday, February 9, 2010 may be found in the Daily Digest of today's RECORD.

## MEETINGS SCHEDULED

## FEBRUARY 10

9:30 a.m.

## Energy and Natural Resources

Business meeting to consider any pending nominations; to be immediately followed by a hearing to examine the President's proposed budget request for fiscal year 2011 for the Department of the Interior.

SD-366

## Homeland Security and Governmental Affairs

To hold hearings to examine the proposed budget request for fiscal year 2011 for the Department of Homeland Security.

SD-342

## Banking, Housing, and Urban Affairs

## Security and International Trade and Finance Subcommittee

To hold hearings to examine equipping financial regulators with the tools necessary to monitor systemic risk.

SD-538

## Veterans' Affairs

To hold hearings to examine the President's proposed budget request for fiscal year 2011 for the Department of Veterans Affairs.

SR-418

10 a.m.

## Budget

To hold hearings to examine setting and meeting an appropriate target for fiscal sustainability.

SD-608

## Judiciary

To hold hearings to examine combating cyber crime and identity theft in the digital age.

SD-226

## Environment and Public Works

## Water and Wildlife Subcommittee

To hold hearings to examine collaborative solutions to wildlife and habitat management.

SD-406

2:30 p.m.

## Armed Services

To receive a closed briefing on the status of the Nuclear Posture Review.

SVC-217

## Environment and Public Works

To hold hearings to examine the nominations of Marilyn A. Brown, of Georgia, Barbara Short Haskew, of Tennessee, Neil G. McBride, of Tennessee, and William B. Sansom, of Tennessee, all to be a Member of the Board of Directors of the Tennessee Valley Authority.

SD-406

## Foreign Relations

To hold hearings to examine foreign policy priorities in the fiscal year 2011 International Affairs budget.

SH-216

4 p.m.

## Judiciary

To hold hearings to examine certain nominations.

SD-226

## FEBRUARY 11

9:30 a.m.

## Armed Services

To resume hearings to examine the "Don't Ask, Don't Tell" policy.

SD-G50

## Energy and Natural Resources

To hold hearings to examine the Department of Energy's Loan Guarantee Program.

SD-366

10 a.m.

## Commerce, Science, and Transportation

To hold hearings to examine aviation security, focusing on passenger screening technology and advanced screening methods.

SR-253

## Environment and Public Works

To hold hearings to examine global warming impacts, including public health, in the United States.

SD-406

## Health, Education, Labor, and Pensions

To hold hearings to examine a stronger workforce investment system for a stronger economy.

SD-430

## Homeland Security and Governmental Affairs

To hold hearings to examine the lessons and implications of the Christmas day attack, focusing on watchlisting and pre-screening.

SD-342

## Foreign Relations

## International Operations and Organizations, Human Rights, Democracy and Global Women's Issues Subcommittee

To hold hearings to examine the future of U.S. public diplomacy.

SD-419

## Judiciary

Business meeting to consider S. 1789, to restore fairness to Federal cocaine sentencing, S. 1624, to amend title 11 of the United States Code, to provide protection for medical debt homeowners, to restore bankruptcy protections for individuals experiencing economic distress as caregivers to ill, injured, or disabled family members, and to exempt from means testing debtors whose financial problems were caused

by serious medical problems, S. 1765, to amend the Hate Crime Statistics Act to include crimes against the homeless, S. 1554, to amend the Juvenile Justice and Delinquency Prevention Act of 1974 to prevent later delinquency and improve the health and well-being of maltreated infants and toddlers through the development of local Court Teams for Maltreated Infants and Toddlers and the creation of a National Court Teams Resource Center to assist such Court Teams, H.R. 1741, to require the Attorney General to make competitive grants to eligible State, tribal, and local governments to establish and maintain certain protection and witness assistance programs, S. 1132, to amend title 18, United States Code, to improve the provisions relating to the carrying of concealed weapons by law enforcement officers, S. 2772, to establish a criminal justice reinvestment grant program to help States and local jurisdictions reduce spending on corrections, control growth in the prison and jail populations, and increase public safety, and the nominations of Dawn Elizabeth Johnsen, of Indiana, to be an Assistant Attorney General, Genevieve Lynn May, to be United States Marshal for the Eastern District of Louisiana, and James P. Lynch, of the District of Columbia, to be Director of the Bureau of Justice Statistics, all of the Department of Justice, and Nancy D. Freudenthal, to be United States District Judge for the District of Wyoming, Denzil Price Marshall Jr., to be United States District Judge for the Eastern District of Arkansas, Benita Y. Pearson, to be United States District Judge for the Northern District of Ohio, and Timothy S. Black, to be United States District Judge for the Southern District of Ohio.

SD-226

## Joint Economic Committee

To hold hearings to examine the economic outlook.

SH-216

2:15 p.m.

## Indian Affairs

Business meeting to consider pending calendar business; to be immediately followed by an oversight hearing to examine the President's proposed budget request for fiscal year 2011 for tribal programs and initiatives.

SD-628

2:30 p.m.

## Homeland Security and Governmental Affairs

## Federal Financial Management, Government Information, Federal Services, and International Security Subcommittee

To hold hearings to examine the census, focusing on a progress report on the Census Bureau's preparedness for the enumeration.

SD-342

## Intelligence

To hold closed hearings to consider certain intelligence matters.

SH-219

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

FEBRUARY 23

9:30 a.m.

## Armed Services

To hold hearings to examine proposed defense authorization request for fiscal year 2011 for the Future Years Defense Program.

SDG-50

FEBRUARY 25

9:30 a.m.

## Armed Services

To hold hearings to examine the Department of the Navy in review of the Defense Authorization request for fiscal year 2011 and the Future Years Defense Program; with the possibility of a closed session in SVC-217 following the open session.

SD-G50

MARCH 2

2 p.m.

## Veterans' Affairs

To hold hearings to examine a legislative presentation from Disabled Veterans of America.

345, Cannon Building

MARCH 4

9:30 a.m.

## Veterans' Affairs

To hold hearings to examine legislative presentations from the Paralyzed Veterans of America, Jewish War Veterans, Military Order of the Purple Heart, Ex-Prisoners of War, Blinded Veterans Association, Military Officers Association of America, Air Force Sergeants Association, and the Wounded Warrior Project.

345, Cannon Building

MARCH 9

9:30 a.m.

## Armed Services

To hold hearings to examine U.S. European Command and U.S. Africa Command in review of the Defense Authorization request for fiscal year 2011 and the Future Years Defense Program; with the possibility of a closed session in SR-222 following the open session.

SH-216

## Veterans' Affairs

To hold hearings to examine a legislative presentation from Veterans of Foreign Wars.

SDG-50

MARCH 11

9:30 a.m.

## Armed Services

To hold hearings to examine U.S. Northern Command and U.S. Southern Command in review of the Defense Authorization request for fiscal year 2011 and the Future Years Defense Program; with the possibility of a closed session in SR-222 following the open session.

SD-G50

MARCH 18

9:30 a.m.

## Veterans' Affairs

To hold hearings to examine legislative presentations from AMVETS, National Association of State Directors of Veterans Affairs, Non Commissioned Officers Association, Gold Star Wives, The Retired Enlisted Association, Fleet Reserve Association, Vietnam Veterans of America, and Iraq and Afghanistan Veterans of America.

SDG-50

Monday, February 8, 2010

# Daily Digest

## Senate

### Chamber Action

**Greenaway and Becker Nominations—Agreement:** A unanimous-consent agreement was reached providing that the orders of February 4, 2010 with respect to the nominations of Joseph A. Greenaway, Jr., of New Jersey, to be United States Circuit Judge for the Third Circuit, and Craig Becker, of Illinois, to be a Member of the National Labor Relations Board, be modified to provide that the orders be delayed to occur at 2 p.m., on Tuesday, February 9, 2010, under the same conditions and limitations as provided for under the original order of February 4, 2010. **Page S507**

Messages From the House:

Pages S507–08

Additional Cosponsors:

Page S508

**Recess:** Senate convened at 2 p.m. and recessed at 2:05 p.m., until 2 p.m. on Tuesday, February 9, 2010. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S508.)

### Committee Meetings

(Committees not listed did not meet)

No committee meetings were held.

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## House of Representatives

### Chamber Action

The House was not in session today. The House is scheduled to meet at 12:30 p.m. on Tuesday, February 9, 2010.

### Committee Meetings

No committee meetings were held.

### Joint Meetings

No joint committee meetings were held.

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### COMMITTEE MEETINGS FOR TUESDAY, FEBRUARY 9, 2010

(Committee meetings are open unless otherwise indicated)

#### Senate

**Committee on Armed Services:** to hold hearings to examine the President's proposed budget request for fiscal year 2011 for Defense Authorization and the Future Years Defense Program, 9:30 a.m., SDG-50.

Full Committee, to receive a closed briefing on policies, procedures, and practices relating to the transfer of detainees held at the Guantanamo Detention Facility, 2:30 p.m., SVC-217.

D104

**Committee on the Budget:** to hold hearings to examine the economic outlook and risks for the Federal budget and debt, 10 a.m., SD-608.

**Committee on Commerce, Science, and Transportation:** to hold hearings to examine the President's proposed budget request for fiscal year 2011 for the Department of Transportation, 2:30 p.m., SR-253.

**Committee on Energy and Natural Resources:** to hold hearings to examine financial transmission rights and other electricity market mechanisms, 10 a.m., SD-366.

Subcommittee on Water and Power, to hold an oversight hearing to examine the Bureau of Reclamation's implementation of the SECURE Water Act, (Title 9501 of Public Law 111-11) and the Bureau of Reclamation's Water Conservation Initiative which includes the Challenge Grant Program, the Basin Study Program and the Title XVI Program, 2:30 p.m., SD-366.

**Committee on Environment and Public Works:** to hold hearings to examine the nominations of William D. Magwood, IV, of Maryland, William Charles Ostendorff, of Virginia, and George Apostolakis, of Massachusetts, all to be a Member of the Nuclear Regulatory Commission, 10 a.m., SD-406.

Full Committee, to hold hearings to examine the nominations of Arthur Allen Elkins, Jr., of Maryland, to be Inspector General, Environmental Protection Agency,

Earl F. Gohl, Jr., of the District of Columbia, to be Federal Cochairman of the Appalachian Regional Commission, and Sanford Blitz, of Maine, to be Federal Cochairperson of the Northern Border Regional Commission, 2:30 p.m., SD-406.

*Committee on Foreign Relations:* business meeting to consider S. 2961, to provide debt relief to Haiti, S. 1382, to improve and expand the Peace Corps for the 21st century, a simple resolution expressing the sense of the Senate on the recovery, rehabilitation, and rebuilding of Haiti following the humanitarian crisis caused by the January 12, 2010 earthquake in Haiti, S. Res. 400, urging the implementation of a comprehensive strategy to address instability in Yemen, S. Res. 404, supporting full implementation of the Comprehensive Peace Agreement and other efforts to promote peace and stability in Sudan, and the nominations of Leocadia Irine Zak, of the District of Columbia, to be Director of the Trade and Development Agency, Walter Crawford Jones, of Maryland, to be United States Director of the African Development Bank, and Douglas A. Rediker, of Massachusetts, to be United States Alternate Executive Director of the International Monetary Fund, and Ian Hoddy Solomon, of Maryland, to be United States Executive Director of the International Bank for Reconstruction and Development, Donald E. Booth, of Virginia, to be Ambassador to the Federal Democratic Republic of Ethiopia, Bisa Williams, of New Jersey, to be Ambassador to the Republic of Niger, Beatrice Wilkinson Welters, of Virginia, to be Ambassador to the Republic of Trinidad and Tobago, Scott H. DeLisi, of Minnesota, to be Ambassador to the Federal Democratic Republic of Nepal, Harry K. Thomas, Jr., of New York, to be Ambassador to the Republic of the Philippines, David Adelman, of Georgia, to be Ambassador to the Republic of Singapore, 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, and 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, 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, and to be Alternate Representative of the United States of America for Special Political Affairs in the United Nations, with the rank of Ambassador, Allan J. Katz, of Florida, to be Ambassador to the Portuguese Republic, Ian C. Kelly, of Maryland, to be U.S. Representative to the Organization for Security and Cooperation in Europe, with the rank of Ambassador, and Judith Ann Stewart Stock, of Virginia, to be Assistant Secretary of State for Educational and Cultural Affairs, all of the Department of State, and a promotion list in the Foreign Service, 2:15 p.m., S-116, Capitol.

*Committee on Homeland Security and Governmental Affairs:* Subcommittee on Oversight of Government Management, the Federal Workforce, and the District of Columbia, to hold hearings to examine foster care and family services in the District of Columbia, focusing on challenges and solutions, 10:30 a.m., SD-342.

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

### House

*Committee on Rules,* to consider H.R. 2701, Intelligence Authorization Act for Fiscal Year 2010, 5 p.m., H-313 Capitol.

*Committee on Transportation and Infrastructure,* Subcommittee on Water Resources and Environment, hearing on Asian Carp and the Great Lakes, 2 p.m., 2167 Rayburn.

### Joint Meetings

*Joint Economic Committee:* to hold hearings to examine the road to economic recovery, focusing on policies to create jobs and continue growth, 10 a.m., 210, Cannon Building.

*Next Meeting of the SENATE*

2 p.m., Tuesday, February 9

*Next Meeting of the HOUSE OF REPRESENTATIVES*

12:30 p.m., Tuesday, February 9

## Senate Chamber

**Program for Tuesday:** Senate will debate concurrently the nominations of Joseph A. Greenaway, Jr., of New Jersey, to be United States Circuit Judge for the Third Circuit, and Craig Becker, of Illinois, to be a Member of the National Labor Relations Board, and after a period of debate, vote on confirmation of the nomination of Joseph A. Greenaway, Jr., of New Jersey, to be United States Circuit Judge for the Third Circuit, and vote on the motion to invoke cloture on the nomination of Craig Becker, of Illinois, to be a Member of the National Labor Relations Board, at 5 p.m.

## House Chamber

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



## Congressional Record

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