

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S973–S1123

Measures Introduced: Eleven bills and four resolutions were introduced, as follows: S. 3060–3070, and S. Res. 430–433. **Pages S1017–18**

Measures Considered:

Tax Extenders Act—Agreement: Senate continued consideration of H.R. 4213, to amend the Internal Revenue Code of 1986 to extend certain expiring provisions, taking action on the following amendments proposed thereto: **Pages S973–S1013**

Rejected:

Grassley Modified Amendment No. 3352 (to Amendment No. 3336), to improve the bill.

(By 54 yeas to 45 nays (Vote No. 34), Senate tabled the amendment.) **Pages S976–78, S995, S998–99**

Bunning Amendment No. 3360 (to Amendment No. 3336), to offset the cost of the bill.

(By 56 yeas to 41 nays (Vote No. 37), Senate tabled the amendment.) **Pages S981–84, S1010–11**

Bunning Amendment No. 3361 (to Amendment No. 3336), to provide additional offsets.

(By 61 yeas to 36 nays (Vote No. 38), Senate tabled the amendment.) **Pages S981–84, S1011**

Pending:

Baucus Amendment No. 3336, in the nature of a substitute. **Pages S973, S996–97, S1011**

Sessions Amendment No. 3337 (to Amendment No. 3336), to reduce the deficit by establishing discretionary spending caps. **Pages S973, S980**

Landrieu Modified Amendment No. 3335 (to Amendment No. 3336), to amend the Internal Revenue Code of 1986 to extend the low-income housing credit rules for buildings in GO Zones. **Pages S973, S1003–04**

Reid (for Murray) Amendment No. 3356 (to Amendment No. 3336), to provide funding for summer employment for youth. **Pages S973–74, S984–86**

Coburn Amendment No. 3358 (to Amendment No. 3336), to require the Senate to be transparent with taxpayers about spending. **Page S997**

Baucus (for Webb/Boxer) Amendment No. 3342 (to Amendment No. 3336), to amend the Internal Revenue Code of 1986 to impose an excise tax on

excessive 2009 bonuses received from certain major recipients of Federal emergency economic assistance, to limit the deduction allowable for such bonuses. **Page S997**

Stabenow Amendment No. 3382 (to Amendment No. 3336), to amend the Internal Revenue Code of 1986 to allow companies to utilize existing alternative minimum tax credits to create and maintain American jobs through new domestic investments. **Pages S1001–03**

Feingold/Coburn Amendment No. 3368 (to Amendment No. 3336), to provide for the rescission of unused transportation earmarks and to establish a general reporting requirement for any unused earmarks. **Pages S1004–05**

Brown (MA) Amendment No. 3391 (to Amendment No. 3336), to provide for a 6-month employee payroll tax rate cut. **Page S1005**

Burr Amendment No. 3389 (to Amendment No. 3336), to provide Federal reimbursement to State and local Governments for a limited sales, use, and retailers' occupation tax holiday, and to offset the cost of such reimbursements. **Pages S1005–06**

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

By 38 yeas to 61 nays (Vote No. 33), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive pursuant to section 311 of the Congressional Budget Act of 1974, with respect to Thune Further Modified Amendment No. 3338 (to Amendment No. 3336), to create additional tax relief for businesses. Subsequently, the point of order that the amendment was in violation of section 311 of the Congressional Budget Act of 1974, was sustained, and the amendment was ruled out of order. **Pages S986–92, S995–96, S997–98**

By 38 yeas to 59 nays (Vote No. 35), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive pursuant to the emergency provisions of the Congressional Budget Act of 1974, with respect to Burr Amendment No. 3390 (to Amendment No. 3336), to provide an emergency benefit of \$250 to seniors, veterans, and persons with disabilities in

2010 to compensate for the lack of cost-of-living adjustment for such year, to provide an offset using unobligated stimulus funds. Subsequently, the Chair sustained a point of order against Burr Amendment No. 3390 (to Amendment No. 3336) as being in violation of the Pay-As-You-Go provision in S. Con. Res. 13, the concurrent resolution on the budget for fiscal year 2010, and the amendment thus fell.

Pages S1006–09

By 47 yeas to 50 nays (Vote No. 36), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive pursuant to section 904 of the Congressional Budget Act of 1974 and section 4(g)(3) of the Statutory Pay-As-You-Go Act of 2010, with respect to Reid (for Sanders) Modified Amendment No. 3353 (to Amendment No. 3336), to provide an emergency benefit of \$250 to seniors, veterans, and persons with disabilities in 2010 to compensate for the lack of cost-of-living adjustment for such year. Subsequently, the Chair sustained a point of order against Reid (for Sanders) Modified Amendment No. 3353 (to Amendment No. 3336), as being in violation of section 201 of S. Con. Res. 21 of the 110th Congress, and the amendment thus fell.

Pages S974–76, S978–80, S992–95, S1009–10

By 60 yeas to 37 nays (Vote No. 39), three-fifths of those Senators duly chosen and sworn, having voted in the affirmative, Senate agreed to the motion to waive pursuant to section 904 of the Congressional Budget Act of 1974 and section 4(g)(3) of the Statutory Pay-As-You-Go Act of 2010, with respect to Baucus Amendment No. 3336, in the nature of a substitute. Thus, the point of order raised was not sustained.

Pages S1011–12

A unanimous-consent agreement was reached providing for further consideration of the bill at approximately 9:30 a.m., on Thursday, March 4, 2010.

Page S1113

Nominations Confirmed: Senate confirmed the following nominations:

Elizabeth M. Harman, of Maryland, to be an Assistant Administrator of the Federal Emergency Management Agency, Department of Homeland Security.

Lillian A. Sparks, of Maryland, to be Commissioner of the Administration for Native Americans, Department of Health and Human Services.

Paul R. Verkuil, of Florida, to be Chairman of the Administrative Conference of the United States for the term of five years.

Eileen Chamberlain Donahoe, of California, for the rank of Ambassador during her tenure of service as the United States Representative to the UN Human Rights Council.

Laura E. Kennedy, of New York, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, for the rank of Ambassador during her tenure of service as U.S. Representative to the Conference on Disarmament.

Julie Simone Brill, of Vermont, to be a Federal Trade Commissioner for the term of seven years from September 26, 2009.

Edith Ramirez, of California, to be a Federal Trade Commissioner for the term of seven years from September 26, 2008.

Page S1113

Nominations Received: Senate received the following nominations:

Scott M. Matheson, Jr., of Utah, to be United States Circuit Judge for the Tenth Circuit.

Kenneth J. Gonzales, of New Mexico, to be United States Attorney for the District of New Mexico for the term of four years.

Michael C. Ormsby, of Washington, to be United States Attorney for the Eastern District of Washington for the term of four years.

Willie Ransome Stafford III, of North Carolina, to be United States Marshal for the Middle District of North Carolina for the term of four years.

James L. Taylor, of Virginia, to be Chief Financial Officer, Department of Labor.

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

Pages S1113–23

Messages from the House: **Pages S1016–17**

Measures Referred: **Page S1017**

Executive Communications: **Page S1017**

Executive Reports of Committees: **Page S1017**

Additional Cosponsors: **Pages S1018–19**

Statements on Introduced Bills/Resolutions: **Pages S1019–32**

Additional Statements: **Pages S1015–16**

Amendments Submitted: **Pages S1032–S1112**

Notices of Hearings/Meetings: **Page S1112**

Authorities for Committees to Meet: **Pages S1112–13**

Privileges of the Floor: **Page S1113**

Record Votes: Seven record votes were taken today. (Total—39) **Pages S998–99, S1009–12**

Adjournment: Senate convened at 9:30 a.m. and adjourned at 7:57 p.m., until 9:30 a.m. on Thursday, March 4, 2010. (For Senate’s program, see the remarks of the Majority Leader in today’s Record on page S1113.)

Committee Meetings

(Committees not listed did not meet)

APPROPRIATIONS: DEPARTMENT OF THE ARMY

Committee on Appropriations: Subcommittee on Defense concluded a hearing to examine proposed budget estimates for fiscal year 2011 for the Army, after receiving testimony from John M. McHugh, Secretary of the Army, and General George W. Casey Jr., Chief of Staff, United States Army, both of the Department of Defense.

APPROPRIATIONS: ENVIRONMENTAL PROTECTION AGENCY

Committee on Appropriations: Subcommittee on Interior, Environment, and Related Agencies concluded a hearing to examine proposed budget estimates for fiscal year 2011 for the Environmental Protection Agency, after receiving testimony from Lisa P. Jackson, Administrator, Environmental Protection Agency.

PROTECTIVE FORCES AT THE DEPARTMENT OF ENERGY

Committee on Armed Services: Subcommittee on Strategic Forces concluded a hearing to examine the protective forces at the Department of Energy, focusing on analyzed information on the management and compensation of protective forces, the implementation of Tactical Response Force (TRF), and the Department of Energy's two options to more uniformly manage Department of Energy protective forces, after receiving testimony from Eugene E. Aloise, Director, Office of Natural Resources and Environment, Government Accountability Office; Glenn S. Podonsky, Director, Office of Health, Safety and Security, Department of Energy; and Mike Stumbo, National Council of Security Police, Amarillo, Texas.

GUANTANAMO DETENTION FACILITY

Committee on Armed Services: Committee met to receive a closed briefing on policies, procedures, and practices relating to the transfer of detainees held at the Guantanamo Detention Facility, after receiving testimony from William J. Lynn, Deputy Secretary, and General James E. Cartwright, USMC, Vice Chairman of the Joint Chiefs of Staff, both of the Department of Defense; Daniel Fried, Special Envoy for Guantanamo, Office of the Secretary of State; Matthew G. Olsen, Executive Director, Guantanamo Detainee Review Task Force, Office of the Attorney General, Department of Justice; and Charles W. Alsop, Assistant Deputy Director of National Intelligence for Customer Requirements.

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION BUDGET

Committee on Commerce, Science, and Transportation: Subcommittee on Oceans, Atmosphere, Fisheries, and Coast Guard concluded a hearing to examine the President's proposed budget request for fiscal year 2011 for the National Oceanic and Atmospheric Administration and Fisheries Enforcement Programs and Operations, after receiving testimony from Jane Lubchenco, Under Secretary for Oceans and Atmosphere, and Administrator, National Oceanic and Atmospheric Administration, and Todd J. Zinser, Inspector General, both of the Department of Commerce.

DEPARTMENT OF THE INTERIOR BUDGET

Committee on Energy and Natural Resources: Committee concluded a hearing to examine the President's proposed budget request for fiscal year 2011 for the Department of the Interior, after receiving testimony from Ken Salazar, Secretary, David Hayes, Deputy Secretary, and Pam Haze, Deputy Assistant Secretary for Budget, Finance, Performance Management, and Acquisition, all of the Department of the Interior.

BUSINESS MEETING

Committee on Energy and Natural Resources: Committee ordered favorably reported the nominations of Larry Persily, to be Federal Coordinator for Alaska Natural Gas Transportation Projects, and Patricia A. Hoffman, of Virginia, to be Assistant Secretary of Energy for Electricity Delivery and Energy Reliability.

TRANSPORTATION INVESTMENTS

Committee on Environment and Public Works: Committee concluded a hearing to examine transportation investments relative to the national economy and jobs, after receiving testimony from Pete K. Rahn, Missouri Department of Transportation, Jefferson City, on behalf of the American Association of State Highway and Transportation Officials; William R. Buechner, American Road and Transportation Builders Association, and Raymond J. Poupore, National Construction Alliance II, both of Washington, D.C.; and Tom Foss, Griffith Company, Brea, California, on behalf of the Associated General Contractors of America.

UNITED STATES TRADE AGENDA

Committee on Finance: Committee concluded a hearing to examine the 2010 trade agenda, after receiving testimony from Ron Kirk, United States Trade Representative, Executive Office of the President.

CHEMICAL SECURITY

Committee on Homeland Security and Governmental Affairs: Committee concluded a hearing to examine