

and local Governments for a limited sales, use, and retailers' occupation tax holiday, and to offset the cost of such reimbursements. Subsequently, the Chair sustained a point of order against Burr Amendment No. 3389 (to Amendment No. 3336), as being in violation of section 201 of S. Con. Res. 21 of 2008, and the amendment thus fell.

**Pages S1146–47, S1152**

By 59 yeas to 41 nays (Vote No. 42), 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 Sessions Amendment No. 3337 (to Amendment No. 3336), to reduce the deficit by establishing discretionary spending caps. Subsequently, the Chair sustained a point of order against Sessions Amendment No. 3337 (to Amendment No. 3336), as being in violation of section 306 of the Congressional Budget Act of 1974, and the amendment thus fell.

**Pages S1141–42, S1152–53**

A unanimous-consent agreement was reached providing for further consideration of the bill at approximately 9:30 a.m., on Friday, March 5, 2010.

**Page S1209**

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

By unanimous vote of 99 yeas (Vote No. EX. 43), William M. Conley, of Wisconsin, to be United States District Judge for the Western District of Wisconsin.

**Pages S1153–54**

Terry A. Yonkers, of Maryland, to be an Assistant Secretary of the Air Force.

Frank Kendall III, of Virginia, to be Principal Deputy Under Secretary of Defense for Acquisition, Technology, and Logistics.

Erin C. Conaton, of the District of Columbia, to be Under Secretary of the Air Force.

Paul Luis Oostburg Sanz, of Maryland, to be General Counsel of the Department of the Navy.

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.

**Pages S1159, S1209**

**Messages from the House:** **Page S1167**

**Measures Referred:** **Page S1167**

**Executive Communications:** **Page S1167**

**Executive Reports of Committees:** **Page S1168**

**Additional Cosponsors:** **Pages S1169–71**

**Statements on Introduced Bills/Resolutions:** **Pages S1171–86**

**Additional Statements:** **Pages S1165–67**

**Amendments Submitted:** **Pages S1186–S1205**

**Authorities for Committees to Meet:** **Pages S1205–06**

**Record Votes:** Four record votes were taken today. (Total—43) **Pages S1152–53**

**Adjournment:** Senate convened at 9:30 a.m. and adjourned at 7:39 p.m., until 9:30 a.m. on Friday, March 5, 2010. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S1209.)

## Committee Meetings

*(Committees not listed did not meet)*

### APPROPRIATIONS: DEPARTMENT OF TRANSPORTATION

*Committee on Appropriations:* Subcommittee on Transportation, Housing and Urban Development, and Related Agencies concluded a hearing to examine proposed budget estimates for fiscal year 2011 for the Department of Transportation, after receiving testimony from Ray LaHood, Secretary of Transportation.

### APPROPRIATIONS: DEPARTMENT OF COMMERCE

*Committee on Appropriations:* Subcommittee on Commerce, Justice, Science, and Related Agencies concluded a hearing to examine proposed budget estimates for fiscal year 2011 for the Department of Commerce, after receiving testimony from Gary Locke, Secretary, and Todd J. Zinser, Inspector General, both of the Department of Commerce.

### APPROPRIATIONS: DEPARTMENT OF ENERGY

*Committee on Appropriations:* Subcommittee on Energy and Water Development concluded a hearing to examine proposed budget estimates for fiscal year 2011 for the Department of Energy, after receiving testimony from Steven Chu, Secretary of Energy.

### APPROPRIATIONS: SECRETARY OF THE SENATE, SERGEANT AT ARMS, AND U.S. CAPITOL POLICE

*Committee on Appropriations:* Subcommittee on Legislative Branch concluded a hearing to examine proposed budget estimates for fiscal year 2011 for the Office of the Secretary of the Senate, the Office of the Senate Sergeant at Arms, and the Office of the U.S. Capitol Police, after receiving testimony from Nancy Erickson, Secretary of the Senate; Terrance W. Gainer, Sergeant at Arms and Doorkeeper of the Senate; and Chief Phillip D. Morse, Sr., United States Capitol Police.

**DEFENSE AUTHORIZATION REQUEST**

*Committee on Armed Services:* Committee concluded a hearing to examine the President's proposed budget request for fiscal year 2011 for the Air Force in review of the Defense Authorization Request and the Future Years Defense Program, after receiving testimony from Michael B. Donley, Secretary, and General Norton A. Schwartz, USAF, Chief of Staff, both of the Air Force, Department of Defense.

**DEPARTMENT OF DEFENSE BUDGET**

*Committee on the Budget:* Committee concluded a hearing to examine the President's proposed budget request for fiscal year 2011 for the Department of Defense, after receiving testimony from William J. Lynn, III, Deputy Secretary, and Robert F. Hale, Under Secretary, Comptroller and Chief Financial Officer, both of the Department of Defense.

**DEPARTMENT OF TRANSPORTATION BUDGET**

*Committee on Commerce, Science, and Transportation:* Committee concluded a hearing to examine the President's proposed budget request for fiscal year 2011 for the Department of Transportation, after receiving testimony from John D. Porcari, Deputy Secretary of Transportation.

**ENERGY PROGRAMS IN THE RECOVERY AND REINVESTMENT ACT**

*Committee on Energy and Natural Resources:* Committee concluded a hearing to examine the Department of Energy's implementation of programs authorized and funded under the American Recovery and Reinvestment Act of 2009, after receiving testimony from Matt Rogers, Senior Advisor to the Secretary, Department of Energy; Patricia A. Dalton, Managing Director, Natural Resources and Environment, Government Accountability Office; Malcolm Woolf, Maryland Energy Administration, Annapolis, on behalf of the National Association of State Energy Officials; and Michele Nellenbach, National Governors Association, Washington, D.C.

**CLEAN AIR ACT**

*Committee on Environment and Public Works:* Committee with the Subcommittee on Clean Air and Nuclear Safety concluded a joint hearing to examine S. 2995, to amend the Clean Air Act to establish a national uniform multiple air pollutant regulatory program for the electric generating sector, after receiving testimony from Regina A. McCarthy, Assistant Administrator, Office of Air and Radiation, Environmental Protection Agency; Collin P. O'Mara, Delaware Secretary of Natural Resources and Environmental Control, Dover; Albert A. Rizzo, Christiana Care Health Systems, Washington, D.C.,

on behalf of the American Lung Association; Michael D. Durham, ADA Environmental Solutions, Littleton, Colorado; and John M. McManus, American Electric Power, Columbus, Ohio.

**BUSINESS MEETING**

*Committee on Environment and Public Works:* Committee ordered favorably reported 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, 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, Sanford Blitz, of Maine, to be Federal Cochairperson of the Northern Border Regional Commission, and 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.

**MIDDLE EAST PEACE CHALLENGES**

*Committee on Foreign Relations:* Committee concluded a hearing to examine Middle East peace, focusing on ground truths, challenges ahead, after receiving testimony from Daniel C. Kurtzer, Princeton University Woodrow Wilson School on Public and International Affairs, Robert Malley, International Crisis Group, Ziad J. Asali, American Task Force on Palestine, and David Makovsky, Washington Institute for Near East Policy, all of Washington, D.C.

**DISASTER PREPAREDNESS**

*Committee on Homeland Security and Governmental Affairs:* Ad Hoc Subcommittee on State, Local, and Private Sector Preparedness and Integration concluded a hearing to examine disaster preparedness in the private sector, after receiving testimony from Stephen C. Jordan, Business Civic Leadership Center, John R. Harrald, Virginia Polytechnic Institute and State University Center for Technology, Security and Policy, and Stephen E. Flynn, Center for National Policy, all of Washington, D.C.

**CHILDHOOD OBESITY**

*Committee on Health, Education, Labor, and Pensions:* Committee concluded a hearing to examine childhood obesity, focusing on reversing the epidemic, after receiving testimony from Regina M. Benjamin, Surgeon General, Department of Health and Human Services; Joe Thompson, Robert Wood Johnson Foundation Center to Prevent Childhood Obesity, Little Rock, Arkansas; Sandra Hassink, American Academy of Pediatrics Obesity Leadership

Workgroup, Wilmington, Delaware; and Rashard Mendenhall, National Football League, Pittsburgh, Pennsylvania.

#### BUSINESS MEETING

*Committee on the Judiciary:* Committee ordered favorably reported S. 1132, to amend title 18, United States Code, to improve the provisions relating to the carrying of concealed weapons by law enforcement officers, with an amendment in the nature of a substitute; and

The nominations of Dawn Elizabeth Johnsen, of Indiana, to be an Assistant Attorney General, Department of Justice, and Gloria M. Navarro, to be United States District Judge for the District of Nevada, Audrey Goldstein Fleissig, to be United States District Judge for the Eastern District of Missouri, Lucy Haeran Koh, to be United States District Judge for the Northern District of California, Jon E. DeGuilio, to be United States District Judge for the Northern District of Indiana, and Tanya Walton Pratt, to be United States District Judge for the Southern District of Indiana.

#### BUSINESS MEETING

*Committee on Small Business and Entrepreneurship:* Committee ordered favorably reported S. 2989, to improve the Small Business Act, with amendments.

#### VETERANS ORGANIZATIONS LEGISLATIVE PRESENTATIONS

*Committee on Veterans' Affairs:* Committee concluded a joint hearing with the House Committee on Veterans' Affairs 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, after receiving testimony from Gene Crayton, Paralyzed Veterans of America, St. Louis, Missouri; Edwin M. Robins, Jewish War Veterans of the United States of America, Cleveland, Ohio; James M. Sims, Military Order of the Purple Heart, Annandale, Virginia; Kenny Hanson, American Ex-Prisoners of War, Minneapolis, Minnesota; Roy Kekahuna, Blinded Veterans Association, Las Vegas, Nevada; Rene A. Campos, Military Officers Association of America, Washington, D.C.; John R. McCauslin, Air Force Sergeants Association, Suitland, Maryland; and Andrew Kinard, Wounded Warrior Project, Boston, Massachusetts.

---

## House of Representatives

### *Chamber Action*

**Public Bills and Resolutions Introduced:** 30 public bills, H.R. 4753–4782; and 10 resolutions, H.J. Res. 80; H. Con. Res. 247–249; and H. Res. 1138–1143 were introduced. **Pages H1167–69**

**Additional Cosponsors:** **Pages H1169–70**

**Reports Filed:** Reports were filed today as follows:

H. Res. 1137, providing for consideration of the Senate amendment to the bill (H.R. 2847) making appropriations for the Departments of Commerce and Justice, and Science, and Related Agencies for the fiscal year ending September 30, 2010, and for other purposes (H. Rept. 111–426) and

H. Res. 1031, impeaching G. Thomas Porteous, Jr., judge of the United States District Court for the Eastern District of Louisiana, for high crimes and misdemeanors (H. Rept. 111–427). **Page H1167**

**Speaker:** Read a letter from the Speaker wherein she appointed Representative Baldwin to act as Speaker pro tempore for today. **Page H1107**

**Committee Resignation:** Read a letter from Representative Stark wherein he resigned as acting chairman of the Committee on Ways and Means.

**Page H1108**

**Suspension:** The House agreed to suspend the rules and agree to the following measure:

*Recognizing the importance and significance of the 2010 Census:* H. Res. 1086, to recognize the importance and significance of the 2010 Census and to encourage each community within Indian Country to name an elder to be the first member of that community to answer the 2010 Census, by a  $\frac{2}{3}$  recorded vote of 415 ayes to 1 no with 1 voting “present”, Roll No. 85. **Pages H1109–12, H1113–14**

**Suspensions—Proceedings Resumed:** The House agreed to suspend the rules and agree to the following measures which were debated on Tuesday, March 2nd:

*Expressing the appreciation of Congress for the service and sacrifice of the members of the 139th*