

# Daily Digest

## HIGHLIGHTS

Senate agreed to the motion to concur in the amendments of the House of Representatives to the amendment of the Senate to the amendment of the House to the amendment of the Senate to H.R. 2847, Commerce, Justice, Science, and Related Agencies Appropriations Act. (The legislative vehicle entitled, "The HIRE Act".)

Senate began consideration of the impeachment proceedings of G. Thomas Porteous, Jr., Judge of the United States District Court for the Eastern District of Louisiana.

## Senate

### Chamber Action

*Routine Proceedings, pages S1633–S1684*

**Measures Introduced:** Five bills and four resolutions were introduced, as follows: S. 3131–3135, and S. Res. 457–460. **Page S1670**

**Measures Passed:**

*Issuance of a Summons and Related Procedures for Impeachment Against Judge G. Thomas Porteous, Jr.:* Senate agreed to S. Res. 457, to provide for issuance of a summons and for related procedures concerning the articles of impeachment against G. Thomas Porteous, Jr. **Pages S1646–47**

*Appointment of a Committee for Impeachment Against Judge G. Thomas Porteous, Jr.:* Senate agreed to S. Res. 458, to provide for the appointment of a committee to receive and to report evidence with respect to articles of impeachment against Judge G. Thomas Porteous, Jr. **Page S1647**

*50th Anniversary of KICY Radio:* Senate agreed to S. Res. 459, congratulating KICY Radio for 50 years of service to western Alaska and the Russian Far East. **Page S1679**

*100th Anniversary of the Long Trail:* Senate agreed to S. Res. 460, recognizing the importance of the Long Trail and the Green Mountain Club on the 100th anniversary of the Long Trail. **Pages S1679–80**

*Congressional Award Program Reauthorization Act:* Senate passed S. 2865, to reauthorize the Congressional Award Act (2 U.S.C. 801 et seq.). **Page S1680**

*Fair Sentencing Act:* Senate passed S. 1789, to restore fairness to Federal cocaine sentencing, after agreeing to the committee amendment in the nature of a substitute. **Pages S1680–83**

**Measures Considered:**

*Impeachment of Judge G. Thomas Porteous, Jr.:* Senate, sitting as a Court of Impeachment, began consideration of the impeachment proceedings of G. Thomas Porteous, Jr., Judge of the United States District Court for the Eastern District of Louisiana, taking the following action:

Subsequently, the Senate received the managers appointed by the House of Representatives who presented and exhibited Articles of Impeachment against G. Thomas Porteous, Jr., Judge of the United States District Court for the Eastern District of Louisiana, and the oath was administered to Senators by the Acting President pro tempore. **Pages S1644–46**

**Appointments:**

*Impeachment Trial Committee:* The Chair, upon the recommendation of the Majority Leader, and in accordance with the resolution on the appointment of an impeachment trial committee, appointed the following Senators to the Impeachment Trial Committee: Senators McCaskill (Chairman), Klobuchar, Whitehouse, Udall (NM), Shaheen, and Kaufman. **Page S1647**

*Impeachment Trial Committee:* The Chair, upon the recommendation of the Republican Leader, and in accordance with the resolution on the appointment of an impeachment trial committee, appointed

the following Senators to the Impeachment Trial Committee: Senators Hatch (Vice Chairman), Barrasso, DeMint, Johanns, Risch, and Wicker.

**Page S1647**

*Impeachment Trial Committee and Impeachment Rule XI:* The Chair, upon the recommendations of the two Leaders, and pursuant to the resolution on the appointment of an impeachment trial committee and Impeachment Rule XI, appointed the following Senators to be members of the committee to receive and report evidence in the impeachment of Judge G. Thomas Porteous, Jr.: Senators McCaskill (Chairman), Klobuchar, Whitehouse, Udall (NM), Shaheen, Kaufman, Hatch (Vice Chairman), Barrasso, DeMint, Johanns, Risch, and Wicker.

**Page S1647**

**Tax on Bonuses Received From Certain TARP Recipients—Agreement:** Senate continued consideration of H.R. 1586, to impose an additional tax on bonuses received from certain TARP recipients, taking action on the following amendments proposed thereto:

**Pages S1647–49, S1652–64**

Pending:

Rockefeller Amendment No. 3452, in the nature of a substitute.

**Page S1647**

Sessions/McCaskill Modified Amendment No. 3453 (to Amendment No. 3452), to reduce the deficit by establishing discretionary spending caps.

**Page S1647**

McCain/Bayh Amendment No. 3475 (to Amendment No. 3452), to prohibit earmarks in years in which there is a deficit.

**Page S1647**

McCain Amendment No. 3527 (to Amendment No. 3452), to require the Administrator of the Federal Aviation Administration to develop a financing proposal for fully funding the development and implementation of technology for the Next Generation Air Transportation System.

**Page S1647**

McCain Amendment No. 3528 (to Amendment No. 3452), to provide standards for determining whether the substantial restoration of the natural quiet and experience of the Grand Canyon National Park has been achieved and to clarify regulatory authority with respect to commercial air tours operating over the Park.

**Page S1648**

Pryor Amendment No. 3548 (to Amendment 3452), to reduce the deficit by establishing discretionary spending caps.

**Pages S1657–60, S1664**

A unanimous-consent agreement was reached providing that notwithstanding the March 16, 2010, adoption of Rockefeller (for Reid/Ensign) Amendment No. 3467 (to Amendment No. 3452), to authorize Clark County, Nevada, to permit the use of certain lands in the Las Vegas McCarran International Airport Environs Overlay District for tran-

sient lodging and associated facilities, that it be modified with the changes at the desk.

**Page S1644**

A unanimous-consent agreement was reached providing for further consideration of the bill at 10:30 a.m., on Thursday, March, 18, 2010, and Senate then debate concurrently Sessions/McCaskill Modified Amendment No. 3453 (to Amendment No. 3452) (listed above), and Pryor Amendment No. 3548 (to Amendment 3452) (listed above); that the amendments be debated concurrently until 11:30 a.m., with the time equally divided and controlled between Senators Sessions and Pryor, or their designees; with no amendments in order to the amendments prior to the vote; that the amendments then be set aside until 2 p.m., and at 2 p.m., Senate vote on or in relation to the amendments, with Sessions/McCaskill Modified Amendment No. 3453 (to Amendment No. 3452) voted on first in the sequence; that prior to each vote, there be 2 minutes of debate, equally divided and controlled in the usual form.

**Page S1683**

**House Messages:**

*Commerce, Justice, Science, and Related Agencies Appropriations Act—House Message:* By 68 yeas to 29 nays (Vote No. 55), Senate agreed to the motion to concur in the amendments of the House of Representatives to the amendment of the Senate to the amendment of the House to the amendment of the Senate to 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, after taking action on the following motions and amendments proposed thereto:

**Pages S1633–38**

Withdrawn:

Durbin motion to concur in the amendments of the House to the amendment of the Senate to the amendment of the House to the amendment of the Senate to the bill, with Durbin Amendment No. 3498 (to the motion to concur in the amendments of the House to the amendment of the Senate to the amendment of the House to the amendment of the Senate), of a perfecting nature.

**Page S1633**

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

Durbin Amendment No. 3499 (to Amendment No. 3498), of a perfecting nature, fell when Durbin motion to concur in the amendments of the House to the amendment of the Senate to the amendment of the House to the amendment of the Senate to the bill, with Durbin Amendment No. 3498 (to the motion to concur in the amendments of the House to the amendment of the Senate to the amendment of the House to the amendment of the Senate), of a perfecting nature was withdrawn.

**Page S1633**

By 63 yeas to 34 nays (Vote No. 54), 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 Durbin motion to concur in the amendments of the House to the amendment of the Senate to the amendment of the House to the amendment of the Senate to the bill. Subsequently, the point of order that the bill was in violation of section 311(a)(2) of the Congressional Budget Act of 1974, was not sustained. **Pages S1634–35**

**Appointments:**

On Monday, March 15, 2010, the appointment should have read:

*President’s Export Council:* The Chair, pursuant to Executive Order 12131, as amended and extended, reappointed and appointed the following Members to the President’s Export Council:

Reappointment:

Senator Stabenow

Senator Brown (OH)

Appointment: Senator Wyden vice Senator Dorgan

**Signing Authority—Agreement:** A unanimous-consent agreement was reached providing that the Majority Leader be authorized to sign any duly enrolled bills or joint resolutions Wednesday, March 17, 2010 and Thursday, March 18, 2010. **Page S1644**

**Nomination Confirmed:** Senate confirmed the following nomination:

By unanimous vote of 98 yeas (Vote No. EX. 56), O. Rogeriee Thompson, of Rhode Island, to be United States Circuit Judge for the First Circuit.

**Pages S1649–52, S1684**

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

Leonard Philip Stark, of Delaware, to be United States District Judge for the District of Delaware.

Amy Totenberg, of Georgia, to be United States District Judge for the Northern District of Georgia.

30 Air Force nominations in the rank of general.

1 Army nomination in the rank of general.

2 Marine Corps nominations in the rank of general.

1 Navy nomination in the rank of admiral.

**Pages S1683–84**

**Messages from the House:** **Page S1669**

**Measures Referred:** **Page S1669**

**Executive Communications:** **Pages S1669–70**

**Additional Cosponsors:** **Pages S1670–71**

**Statements on Introduced Bills/Resolutions:**

**Pages S1671–74**

**Additional Statements:** **Page S1666**

**Amendments Submitted:** **Pages S1674–78**

**Notices of Hearings/Meetings:** **Page S1678**

**Authorities for Committees to Meet:** **Pages S1678–79**

**Record Votes:** Three record votes were taken today. (Total—56) **Pages S1635, S1637–38, S1652**

**Adjournment:** Senate convened at 9:30 a.m. and adjourned at 7:20 p.m., until 9:30 a.m. on Thursday, March 18, 2010. (For Senate’s program, see the remarks of the Acting Majority Leader in today’s Record on page S1683.)

*Committee Meetings*

*(Committees not listed did not meet)*

**APPROPRIATIONS: UNITED STATES FOREST SERVICE**

*Committee on Appropriations:* Subcommittee on Interior, Environment, and Related Agencies concluded a hearing to examine proposed budget estimates for fiscal year 2011 for the United States Forest Service, after receiving testimony from Tom Tidwell, Chief, Forest Service, Department of Agriculture.

**APPROPRIATIONS: NAVY**

*Committee on Appropriations:* Subcommittee on Defense concluded a hearing to examine proposed budget estimates for fiscal year 2011 for the Navy, after receiving testimony from Ray Mabus, Secretary of the Navy, Admiral Gary Roughead, Chief of Naval Operations, and General James T. Conway, Commandant of the Marine Corps, all of the Department of Defense.

**DEFENSE AUTHORIZATION REQUEST AND FUTURE YEARS DEFENSE PROGRAM**

*Committee on Armed Services:* Subcommittee on Strategic Forces concluded open and closed hearings to examine strategic forces programs in review of the Defense Authorization request for fiscal year 2011 and the Future Years Defense Program, after receiving testimony from Lieutenant General Frank G. Klotz, USAF, Commander, Air Force Global Strike Command, Lieutenant General Mark D. Shackelford, USAF, Military Deputy, Office of the Assistant Secretary for Acquisition, Major General C. Donald Alston, USAF, Assistant Chief of Staff, Strategic Deterrence and Nuclear Integration, and Major General David J. Scott, USAF, Director, Operational Capability Requirements and Deputy Chief of Staff for Operations, Plans and Requirements, all of the