

By 41 yeas to 56 nays (Vote No. 59), 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 Inhofe Amendment No. 3549 (to Amendment No. 3475), to reduce the deficit by establishing discretionary spending caps for non-security spending. Subsequently, the Chair sustained a point of order against the Inhofe Amendment No. 3549 (to Amendment No. 3475), that the amendment contained matter within the jurisdiction of the Committee on the Budget and as being in violation of the Congressional Budget Act of 1974, and the amendment thus fell.

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A unanimous-consent agreement was reached providing for further consideration of the bill at approximately 9:30 a.m., on Friday, March 19, 2010.

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**Measures Referred:** **Page S1748**

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**Record Votes:** Four record votes were taken today. (Total—60) **Pages S1716, S1722–23**

**Adjournment:** Senate convened at 9:31 a.m. and adjourned at 7:43 p.m., until 9:30 a.m. on Friday, March 19, 2010. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S1757.)

## Committee Meetings

(Committees not listed did not meet)

### APPROPRIATIONS: ARCHITECT OF THE CAPITOL AND OFFICE OF COMPLIANCE

*Committee on Appropriations:* Subcommittee on Legislative Branch concluded a hearing to examine proposed budget estimates for fiscal year 2011 for the

Office of the Architect of the Capitol, and the Office of Compliance, after receiving testimony from Stephen T. Ayres, Acting Architect of the Capitol; and Tamara E. Chrisler, Executive Director, Office of Compliance.

### U.S. POSTAL SERVICE FINANCIAL SITUATION

*Committee on Appropriations:* Subcommittee on Financial Services and General Government concluded a hearing to examine proposals for addressing the current financial situation facing the United States Postal Service, after receiving testimony from John E. Potter, Postmaster General and Chief Executive Officer, and David C. Williams, Inspector General, both of the United States Postal Service; Ruth Y. Goldway, Chairman, Postal Regulatory Commission; and Phillip Herr, Director, Physical Infrastructure Issues, Government Accountability Office.

### “DON’T ASK, DON’T TELL” POLICY

*Committee on Armed Services:* Committee continued hearings to examine the “Don’t Ask, Don’t Tell” policy, after receiving testimony from General John J. Sheehan, USMC (Ret.), former Supreme Allied Commander, Atlantic, and former Commander in Chief, United States Atlantic Command; Michael D. Almy, former Major, United States Air Force; and Jenny L. Kopfstein, former Lieutenant Junior Grade, United States Navy.

### NOMINATIONS

*Committee on Commerce, Science, and Transportation:* Committee concluded a hearing to examine the nominations of Robert J. Papp Jr., to be a Commandant of the United States Coast Guard, Department of Homeland Security, who was introduced by Senator Kerry, Larry Robinson, of Florida, to be Assistant Secretary of Commerce for Oceans and Atmosphere, Earl F. Weener, of Oregon, to be a Member of the National Transportation Safety Board, who was introduced by Senator Merkley, Michael F. Tillman, of California, to be a Member, and Daryl J. Boness, of Maine, to be a Chairman, both of the Marine Mammal Commission, and Jeffrey R. Moreland, of Texas, to be a Director of the Amtrak Board of Directors, after the nominees testified and answered questions in their own behalf.

### COMMERCIAL SPACE CAPABILITIES

*Committee on Commerce, Science, and Transportation:* Subcommittee on Science and Space concluded a hearing to examine assessing commercial space capabilities, after receiving testimony from Bryan O’Conner, Chief, Office of Safety and Mission Assurance, and Malcolm L. Peterson, former Comptroller, both of the National Aeronautics and Space Administration;

George C. Nield, Associate Administrator for the Office of Commercial Space Transportation, Federal Aviation Administration, Department of Transportation; Michael C. Gass, United Launch Alliance, LLC, Littleton, Colorado; Frank L. Culberson, Jr., USN (Ret.), Orbital Sciences Corporation, Dulles, Virginia; Gwynne Shotwell, Space Exploration Technologies, (SpaceX), Hawthorne, California; and Lieutenant General Thomas P. Stafford, USAF (Ret.), Satellite Beach, Florida.

#### BUSINESS MEETING

*Committee on Commerce, Science, and Transportation:* Committee ordered favorably reported the nominations of Michael Peter Huerta, of the District of Columbia, to be Deputy Administrator of the Federal Aviation Administration, and David T. Matsuda, of the District of Columbia, to be Administrator of the Maritime Administration, both of the Department of Transportation.

#### MOBILITY AND CONGESTION IN URBAN AND RURAL AMERICA

*Committee on Environment and Public Works:* Committee concluded a hearing to examine mobility and congestion in urban and rural America, after receiving testimony from Oklahoma State Senator Bryce Marlatt, Oklahoma City; Scott Haggerty, Alameda County Supervisor, Oakland, California, on behalf of National Association of Counties Transportation Steering Committee; James Townsend, Webster County Judge Executive, Dixon, Kentucky, on behalf of the National Association of Regional Councils; Tim Lomax, Texas Transportation Institute, College Station; John Robert Smith, Reconnecting America, Washington, D.C., on behalf of the Transportation for America Coalition.

#### LAW ENFORCEMENT OVERSIGHT

*Committee on Indian Affairs:* Committee concluded an oversight hearing to examine Bureau of Indian Affairs and tribal police recruitment, training, hiring, and retention, after receiving testimony from Wizipan Garriott, Policy Advisor to the Assistant Secretary for Indian Affairs, and Jason Thompson, Acting Deputy Bureau Director, Office of Justice Services, both of the Bureau of Indian Affairs, Department of the Interior; Joseph W. Wright, Assistant Director, Federal Law Enforcement Training Center, Office of Artesia Operations, Department of Homeland Security; Myra Pearson, Spirit Lake Tribe, Fort Totten, North Dakota, and David M. Gipp, Bismarck, North Dakota, both of United Tribes Technical College; Ivan Posey, Eastern Shoshone Tribe, Fort Washakie, Wyoming; and Chief Gary Gaikowski, Sisseton Wahpeton Law Enforcement of

the Sisseton Wahpeton Oyate, Lake Traverse Reservation, Agency Village, South Dakota.

#### BUSINESS MEETING

*Committee on the Judiciary:* Committee ordered favorably reported the following business items:

S. 148, to restore the rule that agreements between manufacturers and retailers, distributors, or wholesalers to set the minimum price below which the manufacturer's product or service cannot be sold violates the Sherman Act; and

The nominations of Josephine Staton Tucker, to be United States District Judge for the Central District of California, Mark A. Goldsmith, to be United States District Judge for the Eastern District of Michigan, Brian Anthony Jackson, to be United States District Judge for the Middle District of Louisiana, Elizabeth Erny Foote, to be United States District Judge for the Western District of Louisiana, Marc T. Treadwell, to be United States District Judge for the Middle District of Georgia, Wifredo A. Ferrer, to be United States Attorney for the Southern District of Florida, and William N. Nettles, to be United States Attorney for the District of South Carolina.

#### 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 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, after receiving testimony from Terry Schow, Utah Department of Veterans Affairs, Salt Lake City; Duane J. Miskulin, American Veterans (AMVETS), Lanham, Maryland; John Rowan, Vietnam Veterans of America (VVA), Silver Spring, Maryland; Tom Tarantino, Iraq and Afghanistan Veterans of America (IAVA), Washington, D.C.; Vivianne Cisneros Wersel, Gold Star Wives of America, Inc., Emerald Isle, North Carolina; and Gene Overstreet, Non Commissioned Officers Association of the United States of America (NCOA), Charlie L. Flowers, The Retired Enlisted Association, and Joseph L. Barnes, Fleet Reserve Association (FRA), all of Alexandria, Virginia.

#### INTELLIGENCE

*Select Committee on Intelligence:* Committee held closed hearings on intelligence matters, receiving testimony from officials of the intelligence community.

Committee recessed subject to call.