

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S11305–S11357

Measures Introduced: Twelve bills and six resolutions were introduced, as follows: S. 2759–2770, S.J. Res. 21, and S. Res. 349–353. **Page S11344**

Measures Reported:

Report to accompany S. 1670, to reform and modernize the limitations on exclusive rights relating to secondary transmissions of certain signals. (S. Rept. No. 111–98) **Page S11344**

Measures Passed:

Airline Flight Crew Technical Corrections Act: Committee on Health, Education, Labor, and Pensions was discharged from further consideration of S. 1422, to amend the Family and Medical Leave Act of 1993 to clarify the eligibility requirements with respect to airline flight crews, and the bill was then passed, after agreeing to the following amendment proposed thereto: **Pages S11353–54**

Reid (for Murray) Amendment No. 2780, to clarify a requirement concerning hours of service. **Pages S11353–54**

National Veterans History Project Week: Committee on Veterans' Affairs was discharged from further consideration of S. Res. 340, expressing support for designation of a National Veterans History Project Week to encourage public participation in a nationwide project that collects and preserves the stories of the men and women who served our Nation in times of war and conflict, and the resolution was then agreed to. **Page S11354**

Supporting and Encouraging Greater Support for Veterans Day: Senate agreed to S. Res. 349, supporting and encouraging greater support for Veterans Day. **Page S11354**

49th Anniversary of Integrated Schools in New Orleans: Senate agreed to S. Res. 350, recognizing November 14, 2009, as the 49th anniversary of the first day of integrated schools in New Orleans, Louisiana. **Pages S11354–55**

National School Psychology Week: Senate agreed to S. Res. 351, designating the week beginning on

November 9, 2009, as National School Psychology Week. **Page S11355**

Temporary Forbearance on Certain Home Mortgage Payments: Senate agreed to S. Res. 352, encouraging banks and mortgage servicers to work with families affected by contaminated drywall to allow temporary forbearance without penalty on payments on their home mortgages. **Page S11356**

Measures Considered:

Military Construction and Veterans Affairs Appropriations Act—Agreement: Senate continued consideration of H.R. 3082, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2010, taking action on the following amendments proposed thereto: **Pages S11313–16, S11320–34**

Pending:

Johnson/Hutchison Amendment No. 2730, in the nature of a substitute. **Page S11313**

Udall (NM) Amendment No. 2737 (to Amendment No. 2730), to make available from Medical Services, \$150,000,000 for homeless veterans comprehensive service programs. **Page S11313**

Johnson Amendment No. 2733 (to Amendment No. 2730), to increase by \$50,000,000 the amount available for the Department of Veterans Affairs for minor construction projects for the purpose of converting unused Department of Veterans Affairs structures into housing with supportive services for homeless veterans, and to provide an offset. **Page S11313**

Franken/Johnson Amendment No. 2745 (to Amendment No. 2730), to ensure that \$5,000,000 is available for a study to assess the feasibility and advisability of using service dogs for the treatment or rehabilitation of veterans with physical or mental injuries or disabilities. **Page S11313**

Inouye Amendment No. 2754 (to Amendment No. 2730), to permit \$68,500,000, as requested by the Missile Defense Agency of the Department of Defense, to be used for the construction of a test facility to support the Phased Adaptive Approach for missile defense in Europe, with an offset. **Page S11313**

Coburn Amendment No. 2757 (to Amendment No. 2730), to require public disclosure of certain reports. **Page S11313**

Durbin Amendment No. 2759 (to Amendment No. 2730), to enhance the ability of the Department of Veterans Affairs to recruit and retain health care administrators and providers in underserved rural areas. **Page S11313**

Durbin Amendment No. 2760 (to Amendment No. 2730), to designate the North Chicago Veterans Affairs Medical Center, Illinois, as the "Captain James A. Lovell Federal Health Care Center". **Page S11313**

Johanns Amendment No. 2752 (to Amendment No. 2730), prohibiting use of funds to fund the Association of Community Organizations for Reform Now (ACORN). **Page S11313**

Akaka Amendment No. 2740 (to Amendment No. 2730), to extend the authority for a regional office of the Department of Veterans Affairs in the Republic of the Philippines. **Pages S11320–30**

Menendez Amendment No. 2741 (to Amendment No. 2730), to provide, with an offset, an additional \$4,000,000 for grants to assist States in establishing, expanding, or improving State veterans cemeteries. **Pages S11330–34**

DeMint (for Inhofe) Amendment No. 2774 (to Amendment No. 2730), to prohibit the use of funds appropriated or otherwise made available by this Act to construct or modify a facility in the United States or its territories to permanently or temporarily hold any individual held at Guantanamo Bay, Cuba. **Page S11334**

DeMint Amendment No. 2779 (to Amendment No. 2730), to prohibit the use of funds for the transfer or detention in the United States of detainees at Naval Station Guantanamo Bay, Cuba, if certain veterans programs for fiscal year 2010 are not fully funded. **Page S11334**

A unanimous-consent-time agreement was reached providing that Senate resume consideration of the bill at approximately 3 p.m., on Monday, November 16, 2009, and that other than the Johnson substitute and pending amendments, which are listed in this agreement, the following list be the only first-degree amendments remaining in order to the bill; and that relevant second-degree amendments be in order to the first-degree to which offered; that a managers amendment, which has been cleared by the managers and two Leaders, also be in order; and that if offered, the amendment be considered and agreed to, with no other amendments in order: Johnson Amendment No. 2733 (listed above); Udall (NM) Amendment No. 2737 (listed above); Franken/Johnson Amendment No. 2745 (listed above); Inouye Amendment No. 2754 (listed above); Coburn Amendment No.

2757 (listed above); Durbin Amendment No. 2759 (listed above); Durbin Amendment No. 2760 (listed above); McCain Amendment No. 2776 (second-degree to Inouye Amendment No. 2754); DeMint (for Inhofe) Amendment No. 2774 (listed above); Coburn motion to commit with instructions; DeMint Amendment No. 2779 (listed above); Menendez Amendment No. 2741 (listed above); Akaka Amendment No. 2740 (listed above); Johanns Amendment No. 2752 (listed above); Warner/Webb Amendment No. 2738; Bingaman Amendment No. 2749; Levin Amendment No. 2755; Feingold Amendments Nos. 2746, 2747, and 2748; Webb Amendment No. 2756; Gillibrand Amendment No. 2762; Mikulski Amendments Nos. 2750 and 2761; McConnell Amendment No. 2773; Cochran Amendments Nos. 2751 and 2763; Ensign Amendment No. 2771; Burr Amendment No. 2743; that upon disposition of all amendments, the substitute amendment, as amended be agreed to; the bill, as amended, be read a third time and Senate vote on passage of the bill, as amended; that upon passage of the bill, Senate insist on its amendment, request a conference with the House on the disagreeing votes of the two Houses and the Chair be authorized to appoint conferees on the part of the Senate, with the Subcommittee, plus Senators Leahy and Cochran, appointed as conferees; provided further, that if a point of order is raised and sustained against the substitute amendment, then it be in order for a new substitute amendment to be offered, minus the offending provision but including any language which had been previously agreed to; that the new substitute be considered and agreed to, no further amendments be in order, with the provisions of this agreement after adoption of the original substitute amendment remaining in effect; provided further, that on Monday, November 16, 2009, the time until 5:30 p.m. be equally divided and controlled between the two Managers, or their designees; that at 5:30 p.m., Senate vote on or in relation to the following: Coburn Amendment No. 2757 (listed above) and the Coburn motion to commit; provided further, that prior to these two votes, there be two minutes of debate equally divided and controlled in the usual form; that no further debate be in order to the bill, except any time specified for debate prior to a vote on or in relation to any amendment on the list. **Page S11334**

Appointments:

United States-China Economic Security Review Commission: The Chair, on behalf of the President pro tempore, pursuant to Public Law 106–398, as amended by Public Law 108–7, in accordance with the qualifications specified under section 1238(b)(3)(E) of Public Law 106–398, and upon the

recommendation of the Republican Leader, in consultation with the ranking members of the Senate Committee on Armed Services and the Senate Committee on Finance, appointed the following individuals to the United States-China Economic Security Review Commission:

Patrick A. Mulloy of Virginia, for a term beginning January 1, 2010 and expiring December 31, 2011, and

William A. Reinsch of Maryland, for a term beginning January 1, 2010 and expiring December 31, 2011.

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Hamilton Nomination—Cloture Agreement: Senate began consideration of the nomination of David F. Hamilton, of Indiana, to be United States Circuit Judge for the Seventh Circuit.

Pages S11334–35

A motion was entered to close further debate on the nomination and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, and pursuant to the unanimous-consent-time agreement of Tuesday, November 10, 2009, a vote on cloture will occur upon disposition of H.R. 3082; provided that prior to the cloture vote on the nomination, there be 60 minutes of debate, with the time equally divided and controlled between the Chair and Ranking Member of the Committee on the Judiciary; provided further, that the vote not occur prior to 2:15 p.m., on Tuesday, November 17, 2009.

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Nomination Confirmed: Senate confirmed the following nomination:

Jeffrey L. Bleich, of California, to be Ambassador to Australia. (Prior to this action, Committee on Foreign Relations was discharged from further consideration.)

Pages S11356, S11357

Nominations Received: Senate received the following nominations:

Rajiv J. Shah, of Washington, to be Administrator of the United States Agency for International Development.

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

Douglas A. Criscitello, of Virginia, to be Chief Financial Officer, Department of Housing and Urban Development.

Anthony R. Coscia, of New Jersey, to be a Director of the Amtrak Board of Directors for a term of five years.

Albert DiClemente, of Delaware, to be a Director of the Amtrak Board of Directors for the remainder of the term expiring July 26, 2011.

Cynthia L. Attwood, of Virginia, to be a Member of the Occupational Safety and Health Review Commission for a term expiring April 27, 2013.

Sandford Blitz, of Maine, to be Federal Cochairperson of the Northern Border Regional Commission.

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Messages from the House: **Page S11343**

Measures Read the First Time: **Page S11343**

Executive Communications: **Pages S11343–44**

Additional Cosponsors: **Pages S11344–46**

Statements on Introduced Bills/Resolutions: **Pages S11346–51**

Additional Statements: **Pages S11341–43**

Amendments Submitted: **Pages S11351–52**

Notices of Hearings/Meetings: **Page S11352**

Authorities for Committees to Meet: **Pages S11352–53**

Privileges of the Floor: **Page S11353**

Adjournment: Senate convened at 10 a.m. and adjourned, pursuant to the provisions of H. Con. Res. 210, at 8:09 p.m., until 2 p.m. on Monday, November 16, 2009. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S11357.)

Committee Meetings

(Committees not listed did not meet)

HOMELESS VETERANS

Committee on Banking, Housing, and Urban Affairs: Subcommittee on Housing, Transportation and Community Development concluded a hearing to examine ending veterans' homelessness, after receiving testimony from Mercedes Marquez, Assistant Secretary of Housing and Urban Development for Community Planning and Development; Peter H. Dougherty, Director, Homeless Veterans Programs, Office of Public and Intergovernmental Affairs, Department of Veterans Affairs; Steven R. Berg, National Alliance to End Homelessness, Melanie Lilliston, National Coalition for Homeless Veterans, and William Wise, all of Washington, D.C.; Jack Fanous, G.I. Go Fund, Newark, New Jersey; and Lila M. Guy, Twin Oaks, Pennsylvania.

PROPOSALS FOR LONG-TERM FISCAL STABILITY

Committee on the Budget: Committee concluded a hearing to examine bipartisan process proposals for long-term fiscal stability, after receiving testimony from Senators Feinstein, Lieberman, Bayh, and Voinovich; Representatives Cooper and Wolf; William A. Galston, Brookings Institution, and Maya MacGuineas, Committee for a Responsible Federal Budget, both of Washington, D.C.; Douglas Holtz-

Eakin, DHE Consulting LLC, Ontario, Canada; and David Walker, Peter G. Peterson Foundation, New York, New York.

CLIMATE CHANGE LEGISLATION

Committee on Finance: Committee concluded a hearing to examine climate change legislation, focusing on considerations for future jobs, after receiving testimony from Abraham Breehey, International Brotherhood of Boilermakers, Iron Ship Builders, Blacksmiths, Forgers and Helpers, Fairfax, Virginia; Carol L. Berrigan, Nuclear Energy Institute, Kenneth P. Green, American Enterprise Institute, and Margo Thorning, American Council for Capital Formation, all of Washington, D.C.; and Van Ton-Quinlivan, Pacific Gas and Electric Company, San Francisco, California.

FOREIGN RELATIONS TREATIES

Committee on Foreign Relations: Committee concluded a hearing to examine Protocol Amending the Convention between the Government of the United States of America and the Government of the French Republic for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with Respect to Taxes on Income and Capital, signed at Paris on August 21, 1994, as Amended by the Protocol signed on December 8, 2004, signed January 13, 2009, at Paris, together with a related Memorandum of Understanding, signed January 13, 2009 (Treaty Doc. 111–04), Protocol Amending the Convention between the United States of America and New Zealand for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion With Respect to Taxes on Income, signed on December 1, 2008, at Washington (Treaty Doc. 111–03), Convention Between the Government of the United States of America and the Government of Malta for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with Respect to Taxes on Income, signed on August 8, 2008, at Valletta (Treaty Doc. 111–01), Treaty between the Government of the United States of America and the Government of the Republic of Rwanda Concerning the Encouragement and Reciprocal Protection of Investment, signed at Kigali on February 19, 2008 (Treaty Doc. 110–23), and International Treaty on Plant Genetic Resources for Food and Agriculture, adopted by the Food and Agriculture Organization of the United Nations on November 3, 2001, and signed by the United States on November 1, 2002 (the “Treaty”) (Treaty Doc.

110–19), after receiving testimony from Kerri-Ann Jones, Assistant Secretary for Oceans and International Environmental and Scientific Affairs, and Wesley S. Scholz, Director, Office of Investment Affairs, both of the Department of State; Manal Corwin, International Tax Counsel, Department of the Treasury; and Thomas A. Barthold, Chief of Staff, Joint Committee on Taxation.

NOMINATIONS

Committee on Homeland Security and Governmental Affairs: Committee concluded a hearing to examine the nominations of Erroll G. Southers, of California, to be Assistant Secretary of Homeland Security, and Daniel I. Gordon, of the District of Columbia, to be Administrator for Federal Procurement Policy, after the nominees testified and answered questions in their own behalf.

H1N1 AND PAID SICK DAYS

Committee on Health, Education, Labor, and Pensions: Subcommittee on Children and Families concluded a hearing to examine H1N1 and paid sick days, after receiving testimony from Representative DeLauro; Seth Harris, Deputy Secretary of Labor; Rear Admiral Anne Schuchat, Assistant Surgeon General, Director, National Center for Immunization and Respiratory Diseases, Centers for Disease Control and Prevention, Department of Health and Human Services; Debra L. Ness, National Partnership for Women and Families, and Scott Gottlieb, American Enterprise Institute, both of Washington, D.C.; Elissa O’Brien, Wingate Healthcare, Needham, Massachusetts, on behalf of the Society for Human Resource Management; and Desiree Rosado, Groton, Connecticut.

INNOCENCE PROTECTION ACT

Committee on the Judiciary: Committee concluded a hearing to examine strengthening our criminal justice system, focusing on extending the Innocence Protection Act, after receiving testimony from Patricia R. Lykos, District Attorney of Harris County, Houston, Texas; Andre de Gruy, Mississippi Office of Capital Defense Counsel, Jackson; Keith A. Findley, University of Wisconsin Law School, Madison, on behalf of The Innocence Network; and Barry D. Matson, Alabama District Attorneys Association, and the Alabama Computer Forensic Laboratories, Montgomery.

House of Representatives

Chamber Action

The House was not in session today. The House is scheduled to meet at 2 p.m. on Monday, November 16, 2009, pursuant to the provisions of H. Con. Res. 210.

Committee Meetings

No committee meetings were held.

Joint Meetings

No joint committee meetings were held.

Next Meeting of the SENATE

2 p.m., Monday, November 16

Next Meeting of the HOUSE OF REPRESENTATIVES

2 p.m., Monday, November 16

Senate Chamber

Program for Monday: After the transaction of any morning business (not to extend beyond 3 p.m.), Senate will resume consideration of H.R. 3082, Military Construction and Veterans Affairs Appropriations Act, and after a period of debate, vote on or in relation to Coburn Amendment No. 2757 and the Coburn motion to commit at 5:30 p.m.

House Chamber

Program for Monday: To be announced.



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