

# Daily Digest

## HIGHLIGHTS

Senate passed S. 223, FAA Air Transportation Modernization and Safety Improvement Act, as amended.

Senate agreed to H. Con. Res. 17, Adjournment Resolution.

## Senate

### Chamber Action

*Routine Proceedings, pages S807–S927*

**Measures Introduced:** Forty-two bills and eighteen resolutions were introduced, as follows: S. 374–415, and S. Res. 59–76. **Pages S870–71**

#### Measures Reported:

S. Res. 59, authorizing expenditures by the Committee on Armed Services.

S. Res. 61, authorizing expenditures by the Committee on the Judiciary.

S. Res. 62, authorizing expenditures by the Committee on Banking, Housing, and Urban Affairs.

S. Res. 64, authorizing expenditures by the Committee on Commerce, Science, and Transportation.

S. Res. 66, authorizing expenditures by the Committee on Small Business and Entrepreneurship.

S. Res. 67, authorizing expenditures by the Committee on Agriculture, Nutrition, and Forestry.

S. Res. 68, authorizing expenditures by the Senate Committee on Indian Affairs.

S. Res. 69, authorizing expenditures by the Committee on Finance.

S. Res. 70, authorizing expenditures by the Committee on Rules and Administration.

S. Res. 71, authorizing expenditures by the Committee on Veterans' Affairs. **Page S868**

#### Measures Passed:

**Real Estate Investment Trusts 50th Anniversary:** Senate agreed to S. Res. 60, recognizing the 50th anniversary of the date of enactment of the law that created real estate investment trusts (REITs) and gave millions of Americans new investment opportunities that helped them build a solid foundation for retirement and has contributed to the overall strength of the economy of the United States. **Page S809**

**FAA Air Transportation Modernization and Safety Improvement Act:** By 87 yeas to 8 nays (Vote No. 25), Senate passed S. 223, to modernize the air traffic control system, improve the safety, reliability, and availability of transportation by air in the United States, provide modernization of the air traffic control system, reauthorize the Federal Aviation Administration, after taking action on the following amendments proposed thereto: **Pages S809–35**

#### Adopted:

Hutchison Further Modified Amendment No. 93 (to Modified Amendment No. 7), of a perfecting nature. **Pages S809, S814**

Inhofe Modified Amendment No. 7, to provide for an increase in the number of slots available at Ronald Reagan Washington National Airport. **Pages S809, S814**

Coburn/Begich Amendment No. 64, to rescind unused earmarks. **Pages S825–26**

Rockefeller (for Brown (OH)/Portman) Amendment No. 105 (to Amendment No. 32), to improve the provisions relating to integrating unmanned aerial systems into the National Airspace System. **Pages S827–28**

Rockefeller (for Ensign) Amendment No. 32, to improve provisions relating to certification and flight standards for military remotely piloted aerial systems in the National Airspace System. **Pages S809, S828**

Reid Modified Amendment No. 54, to allow airports that receive airport improvement grants for the purchase of land to lease the land and develop the land in a manner compatible with noise buffering purposes. **Pages S809, S825**

Udall (NM) Modified Amendment No. 49, to authorize Dona Ana County, New Mexico, to exchange certain land conveyed to the County for airport purposes. **Pages S809, S828**

Udall (NM) Further Modified Amendment No. 51, to require that all advanced imaging technology

used as a primary screening method for passengers be equipped with automatic target recognition software. **Pages S809, S828**

Coburn Modified Amendment No. 80, to limit essential air service to locations that are 100 or more miles away from the nearest medium or large hub airport. (By 34 yeas to 65 nays (Vote No. 23), Senate earlier failed to table the amendment.) **Pages S826, S828**

Coburn Amendment No. 81, to limit essential air service to locations that average 10 or more enplanements per day. **Pages S826, S828**

Schumer Amendment No. 71, to control helicopter noise pollution in residential areas. **Page S828**

Rockefeller (for Leahy) Amendment No. 50, to amend title 1 of the Omnibus Crime Control and Safe Streets Act of 1968 to include nonprofit and volunteer ground and air ambulance crew members and first responders for certain benefits, and to clarify the liability protection for volunteer pilots that fly for public benefit. **Pages S809, S828**

Rockefeller (for Lautenberg) Modified Amendment No. 10, to change the effective date for certain noise level amendments. **Page S830**

Rockefeller (for Pryor/Boozman) Amendment No. 22, to cap the local cost share under the contract air traffic control tower program at 20 percent. **Page S830**

Rockefeller (for Klobuchar) Modified Amendment No. 37, to clarify the allowable costs standards for public-use airport projects. **Page S830**

Rockefeller (for Cantwell) Modified Amendment No. 46, to allow the IRA rollover of amounts received in airline carrier bankruptcy. **Pages S830–31**

Hutchison (for Murkowski/Begich) Amendment No. 53, to require the Administrator of the Federal Aviation Administration to improve the inspection, mounting, and retention of emergency locator transmitters. **Page S831**

Hutchison/Cornyn Amendment No. 57, to authorize the Administrator of the Federal Aviation Administration to authorize general aviation airport sponsors to allocate mineral revenues not needed to carry out 5-year projected airport maintenance needs for other transportation infrastructure projects. **Pages S831–32**

Hutchison (for Cochran/Wicker) Amendment No. 59, to require a report on the use of explosive pest control devices. **Page S832**

Rockefeller (for Cantwell) Amendment No. 65, to accelerate the implementation of required navigation performance procedures. **Page S832**

Hutchison (for Inhofe) Amendment No. 86, to provide for use of model aircraft for recreational and other purposes. **Page S832**

Rockefeller (for Boxer/Snowe) Amendment No. 94, to require the disclosure of the dimensions of seats on aircraft to enable parents to determine if their child safety seats will fit in those seats. **Pages S832–34**

Rejected:

McCain Amendment No. 4, to repeal the essential air service program. (By 61 yeas to 38 nays (Vote No. 21), Senate tabled the amendment.) **Pages S809, S823**

Paul Amendment No. 18, to strike the provisions relating to clarifying a memorandum of understanding between the Federal Aviation Administration and the Occupational Safety and Health Administration. (By 52 yeas to 47 nays (Vote No. 22), Senate tabled the amendment.) **Pages S809, S823–24**

Coburn Amendment No. 91, to decrease the Federal share of project costs under the airport improvement program for non-primary airports. (By 59 yeas to 40 nays (Vote No. 24), Senate tabled the amendment.) **Pages S826–27, S828**

Withdrawn:

Rockefeller (for Wyden) Amendment No. 27, to increase the number of test sites in the National Airspace System used for unmanned aerial vehicles and to require one of those test sites to include a significant portion of public lands. **Page S809**

A unanimous-consent agreement was reached providing that the vote on the motion to invoke cloture on Inhofe Modified Amendment No. 7 (listed above), be vitiated. **Page S819**

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

By 96 yeas to 2 nays (Vote No. 20), three-fifths of those Senators duly chosen and sworn, having voted in the affirmative, Senate agreed to the motion to close further debate on the bill. **Page S819**

A unanimous-consent agreement was reached providing that the bill be held at the desk, when the Senate receives the House companion to S. 223, as determined by the two Leaders, it be in order for the Majority Leader to proceed to its immediate consideration; strike all after the enacting clause and insert the text of S. 223, as passed by the Senate, in lieu thereof; that the companion bill, as amended, be read a third time, the statutory PAYGO statement be read and the bill be passed; that upon passage, the 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 a ratio of 5–4; all with no intervening action or debate. **Page S824**

*Education Sciences Reform Act:* Senate passed S. 365, to make a technical amendment to the Education Sciences Reform Act of 2002. **Page S924**

**W. Craig Broadwater Federal Building and United States Courthouse:** Committee on Environment and Public Works was discharged from further consideration of S. 307, to designate the Federal building and United States courthouse located at 217 West King Street, Martinsburg, West Virginia, as the “W. Craig Broadwater Federal Building and United States Courthouse”, and the bill was then passed. **Page S924**

**Sam D. Hamilton Noxubee National Wildlife Refuge:** Committee on Environment and Public Works was discharged from further consideration of S. 266, to redesignate the Noxubee National Wildlife Refuge as the Sam D. Hamilton Noxubee National Wildlife Refuge, and the bill was then passed. **Page S924**

**Alvin Ailey American Dance Theater:** Senate agreed to S. Res. 72, recognizing the artistic and cultural contributions of the Alvin Ailey American Dance Theater and the 50th Anniversary of the first performance of Alvin Ailey’s masterwork, “Revelations”. **Page S924**

**Supporting Iranian Democracy:** Senate agreed to S. Res. 73, supporting democracy, universal rights, and the Iranian people in their peaceful call for a representative and responsive democratic government. **Page S925**

**Rare Disease Day:** Senate agreed to S. Res. 74, designating February 28, 2011, as “Rare Disease Day”. **Page S925**

**National Cerebral Palsy Awareness Day:** Senate agreed to S. Res. 75, designating March 25, 2011, as “National Cerebral Palsy Awareness Day”. **Page S925**

**Soldiers of the 14th Quartermaster Detachment of the Army Reserve:** Senate agreed to S. Res. 76, recognizing the soldiers of the 14th Quartermaster Detachment of the United States Army Reserve who were killed or wounded during Operation Desert Shield and Operation Desert Storm. **Pages S925–26**

**Adjournment Resolution:** Senate agreed to H. Con. Res. 17, providing for a conditional adjournment of the House of Representatives and a conditional recess or adjournment of the Senate. **Page S926**

**Authorizing Leadership To Make Appointments—Agreement:** A unanimous-consent agreement was reached providing that, notwithstanding the upcoming recess or adjournment of the Senate, the President of the Senate, the President Pro Tempore and the Majority and Minority Leaders be authorized to make appointments to commissions, committees, boards, conferences, or interparliamen-

tary conferences authorized by law, by concurrent action of the two Houses, or by order of the Senate.

**Page S927**

**Signing Authority—Agreement:** A unanimous-consent agreement was reached providing that during the adjournment of the Senate, the Majority Leader, Senator Rockefeller and Senator Webb be authorized to sign duly enrolled bills or joint resolutions. **Page S927**

**Washington’s Farewell Address—Agreement:** A unanimous-consent agreement was reached providing that at approximately 2:00 p.m., on Monday, February 28, 2011, Senator Isakson will deliver Washington’s Farewell Address to the Senate; that following the address, there be a period of morning business until 3:30 p.m., with Senators permitted to speak therein for up to 10 minutes each. **Page S927**

**Patent Reform Act—Agreement:** A unanimous-consent agreement was reached providing that at 3:30 p.m., on Monday, February 28, 2011, Senate begin consideration of S. 23, to amend title 35, United States Code, to provide for patent reform. **Page S927**

**Page S927**

**Totenberg and Jones Nominations—Agreement:** A unanimous-consent-time agreement was reached providing that at 4:30 p.m., on Monday, February 28, 2011, Senate begin consideration of the nominations of Amy Totenberg, of Georgia, to be United States District Judge for the Northern District of Georgia, and Steve C. Jones, of Georgia, to be United States District Judge for the Northern District of Georgia; that there be one hour for debate equally divided and controlled in the usual form; that upon the use or yielding back of time, the nomination of Amy Totenberg, of Georgia, to be United States District Judge for the Northern District of Georgia, be confirmed, and Senate vote without intervening action or debate on confirmation of the nomination of Steve C. Jones, of Georgia, to be United States District Judge for the Northern District of Georgia. **Page S927**

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

Stephanie O’Sullivan, of Virginia, to be Principal Deputy Director of National Intelligence.

**Pages S926–27**

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

Mari Carmen Aponte, of the District of Columbia, to be Ambassador to the Republic of El Salvador.

Thomas M. Countryman, of Washington, to be an Assistant Secretary of State (International Security and Non-Proliferation).

Michelle D. Gavin, of the District of Columbia, to be Ambassador to the Republic of Botswana.

Mara E. Rudman, of Massachusetts, to be an Assistant Administrator of the United States Agency for International Development.

Ryan C. Crocker, of Washington, to be a Member of the United States Advisory Commission on Public Diplomacy for a term expiring July 1, 2012.

Sim Farar, of California, to be a Member of the United States Advisory Commission on Public Diplomacy for a term expiring July 1, 2012.

William J. Hybl, of Colorado, to be a Member of the United States Advisory Commission on Public Diplomacy for a term expiring July 1, 2012.

Anne Terman Wedner, of Illinois, to be a Member of the United States Advisory Commission on Public Diplomacy for a term expiring July 1, 2013.

Thomas M. Harrigan, of New York, to be Deputy Administrator of Drug Enforcement.

1 Marine Corps nomination in the rank of general.

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Messages from the House: Page S865

Measures Held at the Desk: Page S865

Executive Communications: Pages S865–68

Executive Reports of Committees: Pages S868–69

Additional Cosponsors: Pages S871–72

Statements on Introduced Bills/Resolutions: Pages S872–S919

Additional Statements: Pages S863–65

Amendments Submitted: Pages S919–22

Authorities for Committees to Meet: Pages S922–23

Record Votes: Six record votes were taken today. (Total—25) Pages S819, S823–24, S828, S834

**Adjournment:** Senate convened at 9:30 a.m. and adjourned, pursuant to the provisions of H. Con. Res. 17, at 9:19 p.m., until 2 p.m. on Monday, February 28, 2011. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S927.)

## Committee Meetings

(Committees not listed did not meet)

### AGRICULTURE AND GROWING AMERICA'S ECONOMY

*Committee on Agriculture, Nutrition, and Forestry:* Committee concluded a hearing to examine agriculture and growing America's economy, after receiving testimony from Thomas Vilsack, Secretary of Agriculture; Keith Creagh, Michigan Department of Ag-

riculture and Rural Development, Lansing; Fred Yoder, Ohio Corn and Wheat Growers Association, Plain City; Joe L. Outlaw, Texas A&M University Agricultural and Food Policy Center, College Station; and Thomas M. Hoenig, Federal Reserve Bank of Kansas City, Kansas City, Kansas.

### BUSINESS MEETING

*Committee on Agriculture, Nutrition, and Forestry:* Committee ordered favorably reported an original resolution authorizing expenditures by the committee.

Also, committee adopted its rules of procedure for the 112th Congress.

### DEFENSE AUTHORIZATION REQUEST AND FUTURE YEARS DEFENSE PROGRAM

*Committee on Armed Services:* Committee concluded a hearing to examine the Defense Authorization request for fiscal year 2012 and the Future Years Defense Program, after receiving testimony from Robert M. Gates, Secretary, Admiral Michael G. McMullen, USN, Chairman, Joint Chiefs of Staff, and Robert S. Hale, Under Secretary, Comptroller, all of the Department of Defense.

### BUSINESS MEETING

*Committee on Armed Services:* Committee ordered favorably reported an original resolution authorizing expenditures by the committee, and 670 nominations in the Army, Navy, Air Force, and Marine Corps.

### BUSINESS MEETING

*Committee on Banking, Housing, and Urban Affairs:* Committee ordered favorably reported an original resolution authorizing expenditures by the committee.

Also, committee adopted its rules of procedure for the 112th Congress and announced the following subcommittee assignments:

*Subcommittee on Financial Institutions and Consumer Protection:* Senators Brown (OH) (Chair), Reed, Schumer, Menendez, Akaka, Tester, Kohl, Merkley, Hagan, Corker, Moran, Crapo, Johanns, Toomey, DeMint, and Vitter.

*Subcommittee on Housing, Transportation, and Community Development:* Senators Menendez (Chair), Reed, Schumer, Akaka, Brown (OH), Tester, Kohl, Merkley, Bennet, DeMint, Crapo, Corker, Toomey, Kirk, Moran, and Wicker.

*Subcommittee on Securities, Insurance, and Investment:* Senators Reed (Chair), Schumer, Menendez, Akaka, Kohl, Warner, Merkley, Bennet, Hagan, Johnson (SD), Crapo, Toomey, Kirk, Corker, DeMint, Vitter, Moran, and Wicker.

*Subcommittee on Economic Policy:* Senators Tester (Chair), Warner, Hagan, Johnson (SD), Vitter, Wicker, and Johanns.

*Subcommittee on Security and International Trade and Finance:* Senators Warner (Chair), Brown (OH), Bennett, Johnson (SD), Johanns, and Kirk.

*Senators Johnson (SD) and Shelby are ex officio members of each subcommittee.*

### DODD-FRANK IMPLEMENTATION

*Committee on Banking, Housing, and Urban Affairs:* Committee concluded an oversight hearing to examine the Dodd-Frank implementation, focusing on a progress report by the regulators at the half-year mark, after receiving testimony from Ben S. Bernanke, Chairman, Board of Governors of the Federal Reserve System; Sheila C. Bair, Chairman, Federal Deposit Insurance Corporation; Mary L. Schapiro, U.S. Securities and Exchange Commission; Gary Gensler, Chairman, Commodity Futures Trading Commission; and John Walsh, Acting Comptroller of the Currency, Office of the Comptroller of the Currency.

### BUDGET

*Committee on the Budget:* Committee concluded a hearing to examine the President's proposed budget request for fiscal year 2012 and Revenue Proposals, after receiving testimony from Timothy F. Geithner, Secretary of the Treasury.

### BUSINESS MEETING

*Committee on Commerce, Science, and Transportation:* Committee ordered favorably reported an original resolution authorizing expenditures by the committee.

Also, committee adopted its rules of procedure for the 112th Congress.

### BUSINESS MEETING

*Committee on Finance:* Committee ordered favorably reported an original resolution authorizing expenditures by the committee.

### U.S. POLICY TOWARD LATIN AMERICA

*Committee on Foreign Relations:* Subcommittee on Western Hemisphere, Peace Corps and Global Narcotics Affairs concluded a hearing to examine United States policy toward Latin America, after receiving testimony from Arturo A. Valenzuela, Assistant Secretary of State for Western Hemisphere Affairs; Mark Feierstein, Assistant Administrator for Latin America and the Caribbean, United States Agency for International Development; Frank O. Mora, Deputy Assistant Secretary of Defense for Western Hemisphere Affairs; and Robert N. Kaplan, Inter-American Foundation, Washington, D.C.

### DEPARTMENT OF HOMELAND SECURITY BUDGET

*Committee on Homeland Security and Governmental Affairs:* Committee concluded a hearing to examine the President's proposed budget request for fiscal year 2012 for the Department of Homeland Security, after receiving testimony from Janet Napolitano, Secretary of Homeland Security.

### BUSINESS MEETING

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

An original resolution authorizing expenditures by the committee; and

The nominations of Sue E. Myerscough, and James E. Shadid, both to be a United States District Judge for the Central District of Illinois, Susan L. Carney, of Connecticut, to be United States Circuit Judge for the Second Circuit, and Michael H. Simon, to be United States District Judge for the District of Oregon.

Also, committee adopted its rules of procedure for the 112th Congress and announced the following subcommittee assignments:

*Subcommittee on Administrative Oversight and the Courts:* Senators Klobuchar (Chair), Leahy, Kohl, Whitehouse, Coons, Sessions, Grassley, Lee, and Coburn.

*Subcommittee on Antitrust, Competition Policy and Consumer Rights:* Senators Kohl (Chair), Schumer, Klobuchar, Franken, Blumenthal, Lee, Grassley, and Cornyn.

*Subcommittee on The Constitution, Civil Rights and Human Rights:* Senators Durbin (Chair), Leahy, Whitehouse, Franken, Coons, Blumenthal, Graham, Kyl, Cornyn, Lee, and Coburn.

*Subcommittee on Crime and Terrorism:* Senators Whitehouse (Chair), Kohl, Feinstein, Durbin, Klobuchar, Coons, Kyl, Hatch, Sessions, and Graham.

*Subcommittee on Immigration, Refugees and Border Security:* Senators Schumer (Chair), Leahy, Feinstein, Durbin, Franken, Blumenthal, Cornyn, Grassley, Hatch, Kyl, and Sessions.

*Subcommittee on Privacy, Technology and the Law:* Senators Franken (Chair), Schumer, Whitehouse, Blumenthal, Coburn, Hatch, and Graham.

### BUSINESS MEETING

*Committee on Rules and Administration:* Committee ordered favorably reported an original resolution authorizing expenditures by the committee.

Also, committee adopted its rules of procedure for the 112th Congress.

## REAUTHORIZATION OF THE SBIR AND STTR PROGRAMS

*Committee on Small Business and Entrepreneurship:* Committee concluded a hearing to examine reauthorization of the SBIR and STTR programs, after receiving testimony from Charles W. Wessner, National Research Council, Jere W. Glover, National Small Business Association (NSBA), and Joe Hernandez, Signal Genetics, on behalf of the Biotechnology Industry Organization (BIO), all of Washington, D.C.; Irwin Mark Jacobs, Qualcomm, San Diego, California; and Matthew R. Silver, Cambrian Innovation LLC, Somerville, Massachusetts.

## BUSINESS MEETING

*Committee on Small Business and Entrepreneurship:* Committee ordered favorably reported an original resolution authorizing expenditures by the committee.

Also, committee adopted its rules of procedure for the 112th Congress.

## BUSINESS MEETING

*Committee on Veterans' Affairs:* Committee ordered favorably reported an original resolution authorizing expenditures by the committee.

Also, committee adopted its rules of procedure for the 112th Congress.

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# House of Representatives

## Chamber Action

**Public Bills and Resolutions Introduced:** 43 public bills, H.R. 751–793; 1 private bill, H.R. 794; and 9 resolutions, H.J. Res. 41; H. Con. Res. 19; and H. Res. 97–103 were introduced.

**Pages H1195–H1200**

**Additional Cosponsors:**

**Page H1180**

**Reports Filed:** There were no reports filed today.

**Chaplain:** The prayer was offered by the guest Chaplain, Rev. Mark Williamson, Federal Intercessors, Houston, Texas.

**Page H1073**

**FISA Sunsets Extension Act of 2011:** The House concurred in the Senate amendment to H.R. 514, to extend expiring provisions of the USA PATRIOT Improvement and Reauthorization Act of 2005 and Intelligence Reform and Terrorism Prevention Act of 2004 relating to access to business records, individual terrorists as agents of foreign powers, and roving wiretaps until December 8, 2011, by a yeas-and-nays vote of 279 yeas to 143 nays, Roll No. 66.

**Pages H1075–80**

H. Res. 93, the rule providing for consideration of the Senate amendment, was agreed to yesterday, February 16th.

**Full-Year Continuing Appropriations Act, 2011:** The House resumed consideration of H.R. 1, making appropriations for the Department of Defense and the other departments and agencies of the Government for the fiscal year ending September 30, 2011. Consideration is expected to resume tomorrow, February 18th.

**Pages H1181–89**

Agreed to:

Walberg amendment (No. 196 printed in the Congressional Record of February 14, 2011) that was debated on February 16th that reduces funding for the National Foundation on the Arts and the Humanities, National Endowment for the Arts, Grants and Administration by \$20,594,000 (by a recorded vote of 217 yeas to 209 nays, Roll No. 68);

**Page H1081**

Canseco amendment (No. 249 printed in the Congressional Record of February 14, 2011) that was debated on February 16th that reduces funding for National Capital Arts and Cultural Affairs by \$4,500,000 (by a recorded vote of 248 yeas to 177 nays, Roll No. 69);

**Pages H1081–82**

Reed amendment (No. 381 printed in the Congressional Record of February 14, 2011) that was debated on February 16th that eliminates the Presidio Trust Fund (by a recorded vote of 239 yeas to 186 nays, Roll No. 70);

**Pages H1082–83**

McMorris Rodgers amendment (No. 276 printed in the Congressional Record of February 14, 2011) that was debated on February 16th that increases IDEA state grants to FY 2010 levels and reduce school improvement grants and teacher quality grants by necessary amounts to fully offset outlays (by a recorded vote of 249 yeas to 179 nays, Roll No. 73);

**Pages H1084–85**

Young (AK) amendment (No. 532 printed in the Congressional Record of February 15, 2011) that was debated on February 16th that restores the education funding authority for Alaskan and Hawaiian Native Americans (by a recorded vote of 313 yeas to 117 nays, Roll No. 74);

**Page H1085**

Weiner amendment (No. 100 printed in the Congressional Record of February 14, 2011) that was debated on February 16th that reduces funding for the United States Institute of Peace by \$42,676,000 (by a recorded vote of 268 ayes to 163 noes, Roll No. 76); **Pages H1086–87**

Canseco amendment (No. 248 printed in the Congressional Record of February 14, 2011) that was debated on February 16th that reduces funding for the East-West Center by \$10,716,000 (by a recorded vote of 274 ayes to 155 noes, Roll No. 77); **Page H1087**

Lowey amendment (No. 334 printed in the Congressional Record of February 14, 2011) that prohibits the use of funds to be used to provide grants under the Urban Area Security Initiative under section 2003 of the Homeland Security Act of 2002 (6 U.S.C. 604) to more than 25 high-risk urban areas; **Pages H1102–03**

Cole amendment (No. 208 printed in the Congressional Record of February 14, 2011) that prohibits the use of funds to be used to carry out chapter 95 or chapter 96 of the Internal Revenue Code of 1986 (by a recorded vote of 247 ayes to 175 noes, Roll No. 81); **Pages H1138–39**

Price (NC) amendment (No. 514 printed in the Congressional Record of February 15, 2011) that prohibits the use of funds to be used to enforce the requirements in section 34(a)(1)(A) of the Federal Fire Prevention and Control Act of 1974; section 34(a)(1)(B) of such Act; section 34(c)(1) of such Act; section 34(c)(2) of such Act; and section 34(c)(4)(A) of such Act (by a recorded vote of 267 ayes to 159 noes with 1 voting “present”, Roll No. 82); **Pages H1095–96 H1139**

Walden amendment (No. 404 printed in the Congressional Record of February 15, 2011) that prohibits the use of funds to be used to implement the Report and Order of the Federal Communications Commission relating to the matter of preserving the open Internet and broadband industry practices (FCC 10–201, adopted by the Commission on December 21, 2010) (by a recorded vote of 244 ayes to 141 noes, Roll No. 83); **Pages H1096–H1102, H1139–40**

Lummis amendment (No. 195 printed in the Congressional Record of February 14, 2011) that prohibits the use of funds for the payment of fees and other expenses under section 504 of title 5, United States Code, or section 2412(d) of title 28, United States Code (by a recorded vote of 232 ayes to 197 noes, Roll No. 85); **Pages H1111–14, H1141–42**

Carter amendment (No. 165 printed in the Congressional Record of February 14, 2011) that prohibits funds from being used to implement, administer, or enforce the rule entitled “National Emission Standards for Hazardous Air Pollutants From the

Portland Cement Manufacturing Industry and Standards of Performance for Portland Cement Plants” published by the Environmental Protection Agency on September 9, 2010 (by a recorded vote of 250 ayes to 177 noes, Roll No. 86); **Pages H1115–21 H1142**

Scalise amendment (No. 204 printed in the Congressional Record of February 14, 2011) that prohibits funds from being used to pay the salaries and expenses for specified Federal agency positions and their offices (by a recorded vote of 249 ayes to 179 noes with 1 voting “present”, Roll No. 87); **Pages H1121–25, H1142–43**

Fortenberry amendment (No. 424 printed in the Congressional Record of February 15, 2011) that prohibits the use of funds to provide any of the following types of assistance to Chad: international military education and training, foreign military financing, provision of excess defense articles, foreign military forces capacity assistance, and direct commercial sales of military equipment; and **Pages H1184–85**

Hastings (FL) amendment (No. 23 printed in the Congressional Record of February 14, 2011) that increases, by offset, the amount made available for Department of Health and Human Services, Health Resources and Services Administration, Health Resources and Services by \$42,000,000. **Pages H1185–86**

Rejected:

Pompeo amendment (No. 85 printed in the Congressional Record of February 14, 2011) that was debated on February 16th that sought to reduce funding for the Department of Agriculture, Forest Service, State and Private Forestry by \$7,400,000 (by a recorded vote of 171 ayes to 256 noes, Roll No. 67); **Pages H1080–81**

Bass (NH) amendment (No. 565 printed in the Congressional Record of February 15, 2011) that was debated on February 16th that sought to reduce funding for Department of Health and Human Services, Substance Abuse and Mental Health Services Administration, Substance Abuse and Mental Health Services by \$98,000,000 (by a recorded vote of 104 ayes to 322 noes with 2 voting “present”, Roll No. 71); **Page H1083**

Flake amendment (No. 457 printed in the Congressional Record of February 15, 2011) that was debated on February 16th that sought to reduce funding for making payments under the Community Service Block Grant Act by \$100,000,000 (by a recorded vote of 115 ayes to 316 noes, Roll No. 72); **Page H1084**

Price (GA) amendment (No. 410 printed in the Congressional Record of February 15, 2011) that was debated on February 16th that eliminates funding

for the National Labor Relations Board (by a recorded vote of 176 ayes to 250 noes, Roll No. 75);

**Page H1086**

Heller amendment (No. 29 printed in the Congressional Record of February 14, 2011) that was debated on February 16th that reduces funding under Title XI—State, Foreign Operations, and Related Programs by \$211,244,700 (by a recorded vote of 190 ayes to 241 noes, Roll No. 78); **Pages H1087–88**

Sessions amendment (No. 43 printed in the Congressional Record of February 14, 2011) that was debated on February 16th that reduces funding for Amtrak by \$446,900,000 (by a recorded vote of 176 ayes to 250 noes, Roll No. 79); **Pages H1088–95**

Woolsey amendment (No. 189 printed in the Congressional Record of February 14, 2011) that sought to prohibit the use of funds available by division A of this Act to research, develop, test, evaluate, or procure any the following: (1) Expeditionary Fighting Vehicle; (2) V–22 Osprey aircraft (by a recorded vote of 91 ayes to 339 noes, Roll No. 80);

**Pages H1091–95, H1137–38**

Camp amendment (No. 516 printed in the Congressional Record of February 15, 2011) that sought to prohibit funds from being used for the opening of the locks at the Thomas J. O'Brien Lock and Dam or the Chicago River Controlling Works (by a recorded vote of 137 ayes to 292 noes with 1 voting “present”, Roll No. 84); **Pages H1103–06, H1140**

Frank (MA) amendment (No. 458 printed in the Congressional Record of February 15, 2011) that sought to reduce the amounts made available to the Department of the Treasury, Internal Revenue and the General Services Administration and to increase the amount made available to the Independent Agencies, Securities and Exchange Commission, Salaries and Expenses by \$131,000,000 (by a recorded vote of 160 ayes to 270 noes, Roll No. 88); and

**Pages H1125–31, H1143**

Holt amendment (No. 506 printed in the Congressional Record of February 15, 2011) that sought to reduce the amount made available for Department of the Treasury, Internal Revenue Service, Enforcement, and increase the amounts provided in section 1517(a) for transfer from the Federal Reserve to the Bureau of Consumer Financial Protection for activities authorized to be carried out by such Bureau under title X of the Dodd-Frank Wall Street Reform Consumer Protection Act (by a recorded vote of 163 ayes to 265 noes, Roll No. 89). **Pages H1131–37, H1144**

Withdrawn:

Fortenberry amendment (No. 483 printed in the Congressional Record of February 15, 2011) that was offered and subsequently withdrawn that would have prohibited the use of funds for, or in, sterilization campaigns. **Page H1186**

Point of Order sustained against:

Woolsey amendment (No. 413 printed in the Congressional Record of February 15, 2011) that sought to prohibit the use of funds in the Department of Defense overseas contingency operations budget for military operations in Afghanistan until the President seeks to negotiate and enter into a bilateral status of forces agreement with the Government of the Islamic Republic of Afghanistan;

**Page H1103**

Eshoo amendment (No. 576 printed in the Congressional Record of February 15, 2011) that sought to prohibit the use of funds to enter into any contract with a corporation or other business entity that does not disclose its political contributions;

**Pages H1106–11**

Lee amendment (No. 222 printed in the Congressional Record of February 14, 2011) that sought to prohibit the use of funds for any account of the Department of Defense (except Military personnel, reserve personnel, National Guard personnel, and the Defense Health Program account) in excess of the amount made available for such account for fiscal year 2010, unless the financial statements of the Department for fiscal year 2010 are validated as ready for audit within 180 days after the date of the enactment of this Act; and

**Pages H1114–15**

Wasserman Schultz amendment (No. 211 printed in the Congressional Record of February 14, 2011) that sought to increase the amount made available to the Department of Justice, Office of Justice Programs, Justice Assistance for carrying out title I of the PROTECT Our Children Act of 2008 by \$30,000,000. **Page H1115**

Proceedings Postponed:

McCullum amendment (No. 50 printed in the Congressional Record of February 14, 2011) that seeks to prohibit funds from being used for the Department of Defense sponsorship of NASCAR race cars; **Pages H1144–45**

Nadler amendment (No. 232 printed in the Congressional Record of February 14, 2011) that seeks to limit the use of funds for the United States military operations in Afghanistan to no more than \$10,000,000,000; **Pages H1145–49**

Kline amendment (No. 214 printed in the Congressional Record of February 14, 2011) that seeks to prohibit funds for the use of the “Program Integrity: Gainful Employment-New Programs” section of the bill; **Pages H1149–55**

Pence amendment (No. 11 printed in the Congressional Record of February 14, 2011) that seeks to prohibit the use of funds for Planned Parenthood Federation of America, Inc.; **Pages H1155–74**

Young (AK) amendment (No. 533 printed in the Congressional Record of February 15, 2011) that



seeks to prohibit the use of funds by the Environmental Appeals Board to consider, review, reject, remand, or otherwise invalidate any permit issued for Outer Continental Shelf sources located offshore of the States along the Arctic Coast under section 328(a) of the Clean Air Act (42 U.S.C. 7627(a));

**Pages H1182–83**

Nadler amendment (No. 524 printed in the Congressional Record of February 14, 2011) that seeks to prohibit the use of funds to make an application under section 501 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1861) for an order requiring the production of library circulation records, library patron lists, book sales records, or book customer lists; and

**Pages H1183–84**

Poe amendment (No. 466 printed in the Congressional Record of February 14, 2011) that seeks to prohibit the use of funds by the EPA to implement, administer, or enforce any statutory or regulatory requirement pertaining to emissions of greenhouse gases.

**Pages H1186–89**

H. Res. 92, the rule providing for consideration of the bill, was agreed to on February 15th.

**Order of Procedure:** Agreed by unanimous consent that during further consideration of H.R. 1 in the Committee of the Whole pursuant to H. Res. 92, no further amendment to the bill may be offered except: (1) pro forma amendments offered at any point in the reading by the chair or ranking minority member of the Committee on Appropriations for the purpose of debate; (2) amendments 8, 13, 19, 23, 38, 42, 46, 47, 48, 49, 51, 54, 55, 79, 80, 83, 88, 89, 94, 99, 101, 109, 117, 120, 126, 127, 137, 141, 144, 145, 146, 149, 151, 154, 159, 164, 166, 172, 174, 177, 185, 199, 200, 207, 216, 217, 233, 241, 246, 251, 255, 261, 263, 266, 267, 268, 274, 280, 281, 296, 323, 329, 330, 331, 333, 336, 342, 344, 345, 348, 367, 369, 377, 392, 396, 400, 401, 405, 408, 409, 414, 424, 429, 430, 439, 445, 448, 463, 464, 465, 467, 471, 480, 482, 483, 495, 496, 497, 498, 504, 507, 515, 519, 524, 525, 526, 533, 534, 536, 543, 548, 552, 560, 563, 566, 567, 569, 570, 577, 578, and 583; amendments 27, 278, 466, and 545, each of which shall be debatable for 20 minutes; amendments 104 and 540, each of which shall be debatable for 30 minutes; and amendment 273, which shall be debatable for 40 minutes; amendment 575, which shall be debatable for 60 minutes; and that each such printed amendment: (1) may be offered only by the Member who caused it to be printed in the Record, or a designee; (2) shall not be subject to amendment, except that the chair and ranking minority member of the Committee on Appropriations each may offer one pro forma amendment for the purpose of debate; and (3) shall not be subject to a demand for division of the question in the

House or in the Committee of the Whole; and that except as otherwise specified in this order, each printed amendment shall be debatable for 10 minutes, and all specified periods of debate shall be equally divided and controlled by the proponent and an opponent.

**Pages H1174–75**

**NATO Parliamentary Assembly—Appointment:** The Chair announced the Speaker's appointment of the following Members of the House to the NATO Parliamentary Assembly: Representatives Ross (AR), Chandler, Scott (GA), and Schwartz.

**Page H1189**

**Commission on Security and Cooperation in Europe—Appointment:** The Chair announced the Speaker's appointment of the following Members of the House to the Commission on Security and Cooperation in Europe: Representatives Hastings (FL), Slaughter, McIntyre, and Cohen.

**Page H1189**

**Senate Message:** Message received from the Senate today appears on pages H1080 and H1162.

**Senate Referrals:** S. Con. Res. 6 was referred to the Committee on the Judiciary.

**Page H1194**

**Quorum Calls—Votes:** One yea-and-nay vote and twenty-three recorded votes developed during the proceedings of today and appear on pages H1079–80, H1080–81, H1081, H1082, H1082–83, H1083, H1084, H1084–85, H1085, H1086, H1086–87, H1087, H1088, H1088–89, H1138, H1138–39, H1139, H1140, H1140–41, H1141, H1142, H1142–43, H1143 and H1144. There were no quorum calls.

**Adjournment:** The House met at 9 a.m. and adjourned at 1:10 a.m. on Friday, February 18th.

## *Committee Meetings*

### **FARM ECONOMY STATE**

*Committee on Agriculture:* Held a hearing to review the state of the farm economy. Testimony was heard from Tom Vilsack, Secretary of Agriculture.

### **DEFENSE AUTHORIZATION—AIR FORCE**

*Committee on Armed Services:* Held a hearing on the Fiscal Year 2012 national defense authorization budget request from the Department of the Air Force. Testimony was heard from the following officials of the U.S. Air Force, Department of Defense: Michael B. Donley, Secretary; and Gen. Norton A. Schwartz, Chief of Staff.

### **CONSUMER PRODUCT SAFETY LAWS' BURDENS ON BUSINESS**

*Committee on Energy and Commerce:* Subcommittee on Commerce, Manufacturing, and Trade held a hearing entitled "A Review of CPSIA and CPSC Resources." Testimony was heard from the following Consumer

Product Safety Commission officials: Inez Tenenbaum, Chairman; Anne Northrup, Commissioner; and public witnesses.

### MEDICAL DEVICE REGULATION

*Committee on Energy and Commerce:* Subcommittee on Health held a hearing entitled “Impact of Medical Device Regulation on Jobs and Patients.” Testimony was heard from Jeffrey E. Shuren, M.D., Director, Center for Devices and Radiological Health, FDA; and public witnesses.

### FEDERAL RESERVE INTERCHANGE FEE PROPOSAL

*Committee on Financial Services:* Subcommittee on Financial Institutions and Consumer Credit held a hearing entitled “Understanding the Federal Reserve’s Proposed Rule on Interchange Fees: Implications and Consequences of the Durbin Amendment.” Testimony was heard from Sarah Bloom Raskin, Governor, Federal Reserve Board, Federal Reserve System; and public witnesses.

### LAWFUL ELECTRONIC SURVEILLANCE

*Committee on the Judiciary:* Subcommittee on Crime, Terrorism, and Homeland Security hearing on the Going Dark: Lawful Electronic Surveillance in the Face of New Technologies. Testimony was heard from Valerie E. Caproni, General Counsel, FBI, Department of Justice; Chief Mark A. Marshall, President, International Association of Chiefs of Police; and a public witness.

### FEDERAL SPENDING BINGE

*Committee on Oversight and Government Reform:* Held a hearing on Waste and Abuse: The Refuse of the Federal Spending Binge. Testimony was heard from Senator McCaskill; Gene L. Dodaro, Comptroller General., GAO; and public witnesses.

### FEDERAL RESEARCH AND DEVELOPMENT BUDGET

*Committee on Science, Space, and Technology:* Held a hearing on an Overview of the Administration’s Federal Research and Development Budget for Fiscal Year 2012. Testimony was heard from John P. Holdren, Director, Office of Science and Technology Policy.

### REHABILITATING AND IMPROVING THE NATION’S RAIL INFRASTRUCTURE

*Committee on Transportation and Infrastructure:* Subcommittee on Railroads, Pipelines, and Hazardous Materials hearing on Sitting on Our Assets: Rehabilitating and Improving Our Nation’s Rail Infrastructure. Testimony was heard from John D. Porcari, Deputy Secretary of Transportation; and public witnesses.

### VETERANS’ AFFAIRS FY12 BUDGET REQUEST

*Committee on Veterans’ Affairs:* Held a hearing on Department of Veterans Affairs Budget Request for Fiscal Year 2012. Testimony was heard from Eric K. Shinseki, Secretary of Veterans Affairs; and representatives of veterans organizations.

Prior to the hearing, the Committee met for organizational purposes.

### MISCELLANEOUS MEASURES

*Committee on Ways and Means:* Ordered reported the following bills: H.R. 4, Small Business Paperwork Mandate Elimination Act of 2011; and H.R. 705, amended, Comprehensive 1099 Taxpayer Protection and Repayment of Exchange Subsidy Overpayments Act of 2011.

### FY11 BUDGET OVERVIEW

*Permanent Select Committee on Intelligence:* Met in executive session to hold a hearing on FY 2011 Budget Overview.

## *Joint Meetings*

No joint committee meetings were held.

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### COMMITTEE MEETINGS FOR FRIDAY, FEBRUARY 18, 2011

*(Committee meetings are open unless otherwise indicated)*

#### Senate

No meetings/hearings scheduled.

#### House

No committee meetings are scheduled.

*Next Meeting of the SENATE*

2 p.m., Monday, February 28

*Next Meeting of the HOUSE OF REPRESENTATIVES*

9 a.m., Friday, February 18

## Senate Chamber

**Program for Monday:** Senator Isakson will deliver Washington's Farewell Address, to be followed by a period of morning business until 3:30. Following which, Senate will begin consideration of S. 23, Patent Reform Act. At 4:30 p.m., Senate will begin consideration of the nominations of Amy Totenberg, of Georgia, to be United States District Judge for the Northern District of Georgia, and Steve C. Jones, of Georgia, to be United States District Judge for the Northern District of Georgia, with a voice vote on confirmation of the nomination of Amy Totenberg, of Georgia, to be United States District Judge for the Northern District of Georgia, and a roll call vote on confirmation of the nomination of Steve C. Jones, of Georgia, to be United States District Judge for the Northern District of Georgia, at approximately 5:30 p.m.

## House Chamber

**Program for Friday:** Continue consideration of H.R. 1—Full-Year Continuing Appropriations Act, 2011.



# Congressional Record

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