

Tuesday, January 6, 2009

Daily Digest

HIGHLIGHTS

Senate convened the first session of the One Hundred Eleventh Congress.

The Honorable Nancy Pelosi of California was elected Speaker of the House of Representatives.

Senate

Chamber Action

Routine Proceedings, pages S1–S152

Measures Introduced: One hundred forty-three bills and thirteen resolutions were introduced, as follows: S. 1–10, 21, 31–162, S.J. Res. 1–3, S. Res. 1–8, and S. Con. Res. 1–2. **Pages S39–44**

Measures Passed:

Quorum of House and Senate: Senate agreed to S. Res. 1, informing the President of the United States that a quorum of each House is assembled. **Page S5**

Quorum of the Senate: Senate agreed to S. Res. 2, informing the House of Representatives that a quorum of the Senate is assembled. **Page S5**

Counting of Electoral Votes: Senate agreed to S. Con. Res. 1, to provide for the counting on January 8, 2009, of the electoral votes for President and Vice President of the United States. **Page S5**

Joint Congressional Committee on Inaugural Ceremonies: Senate agreed to S. Con. Res. 2, extending the life of the Joint Congressional Committee on Inaugural Ceremonies. **Page S6**

Hour of Daily Meeting of the Senate: Senate agreed to S. Res. 3, fixing the hour of daily meeting of the Senate. **Page S6**

Secretary of the Interior Compensation and Emoluments: Senate passed S.J. Res. 3, ensuring that the compensation and other emoluments attached to the office of Secretary of the Interior are those which were in effect on January 1, 2005. **Pages S150–51**

Death of former Senator Claiborne de Borda Pell: Senate agreed to S. Res. 8, relative to the death

of the Honorable Claiborne de Borda Pell, former United States Senator for the State of Rhode Island.

Page S151

Measures Considered:

Objection: Pursuant to rule XIV, paragraph 1, of the Standing Rules of the Senate, Senator Coburn objected to the introduction of a bill, to designate certain land components of the National Wilderness Preservation System, to authorize certain programs and activities in the Department of the Interior and the Department of Agriculture, by Senator Bingaman. **Page S27**

Appointments:

Congressional Oversight Panel: The Chair, on behalf of the Republican Leader, pursuant to provisions of Public Law 110–343, appointed the following individual as a member of the Congressional Oversight Panel: Senator John Sununu, of New Hampshire, vice Senator Judd Gregg, of New Hampshire.

Pursuant to the order of the Senate of December 11, 2008, authorizing appointments to be made during the recess or adjournment of the Senate, the Chair lays before the Senate an appointment made on December 18, 2008, which shall be printed in the Record. **Page S150**

111th Congress—Unanimous Consent Agreements:

A unanimous-consent agreement was reached providing that for the duration of the 111th Congress, the Ethics Committee be authorized to meet during the session of the Senate. **Page S6**

A unanimous-consent agreement was reached providing that for the duration of the 111th Congress, there be a limitation of 15 minutes each upon any roll call vote, with the warning signal to be sounded

at the midway point, beginning at the last 7½ minutes, and when roll call votes are of 10-minute duration, the warning signal be sounded at the beginning of the last 7½ minutes. **Page S6**

A unanimous-consent agreement was reached providing that during the 111th Congress, it be in order for the Secretary of the Senate to receive reports at the desk when presented by a Senator at any time during the day of the session of the Senate. **Page S6**

A unanimous-consent agreement was reached providing that the Majority and Minority Leaders may daily have up to 10 minutes each on each calendar day following the prayer and disposition of the reading of, or the approval of, the Journal. **Page S6**

A unanimous-consent agreement was reached providing that the Parliamentarian of the House of Representatives and his five assistants be given the privileges of the floor during the 111th Congress. **Page S6**

A unanimous-consent agreement was reached providing that, notwithstanding the provisions of rule XVIII, conference reports and statements accompanying them not be printed as Senate reports when such conference reports and statements have been printed as a House report unless specific request is made in the Senate in each instance to have such a report printed. **Page S6**

A unanimous-consent agreement was reached providing that the Committee on Appropriations be authorized during the 111th Congress to file reports during adjournments or recesses of the Senate on appropriations bills, including joint resolutions, together with any accompanying notices of motions to suspend rule XVI, pursuant to rule V, for the purpose of offering certain amendments to such bills or joint resolutions, which proposed amendments shall be printed. **Page S6**

A unanimous-consent agreement was reached providing that for the duration of the 111th Congress, the Secretary of the Senate be authorized to make technical and clerical corrections in the engrossments of all Senate-passed bills and resolutions, Senate amendments to House bills and resolutions, Senate amendments to House amendments to Senate amendments to House bills or resolutions. **Page S6**

A unanimous-consent agreement was reached providing that for the duration of the 111th Congress, when the Senate is in recess or adjournment, the Secretary of the Senate is authorized to receive messages from the President of the United States, and—with the exception of House bills, joint resolutions and concurrent resolutions—messages from the House of Representatives; and that they be appropriately re-

ferred; and that the President of the Senate, the President pro tempore, and the Acting President pro tempore be authorized to sign duly enrolled bills and joint resolutions. **Page S6**

A unanimous-consent agreement was reached providing that for the duration of the 111th Congress, Senators be allowed to leave at the desk with the Journal Clerk the names of two staff members who will be granted the privilege of the floor during the consideration of the specific matter noted, and that the Sergeant-at-Arms be instructed to rotate such staff members as space allows. **Page S6**

A unanimous-consent agreement was reached providing that for the duration of the 111th Congress, it be in order to refer treaties and nominations on the day when they are received from the President, even when the Senate has no executive session that day. **Page S6**

A unanimous-consent agreement was reached providing that for the duration of the 111th Congress, Senators may be allowed to bring to the desk, bills, joint resolutions, concurrent resolutions and simple resolutions, for referral to appropriate committees. **Page S6**

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| Messages from the House: | Pages S30–S31 |
| Measures Referred: | Page S31 |
| Measures Read the First Time: | Pages S31, S151 |
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| Statements on Introduced Bills/Resolutions: | Pages S44–S150 |
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| Notices of Hearings/Meetings: | Page S150 |
| Quorum Calls: | |

One quorum call was taken today. (Total—1)

Pages S4–S5

Adjournment: Senate convened at 12:01 p.m. and adjourned, as a further mark of respect to the memory of the late Honorable Claiborne de Borda Pell, former United States Senator for the State of Rhode Island, in accordance with S. Res. 8, at 7:45 p.m., until 11:30 a.m. on Wednesday, January 7, 2009. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S152.)

Committee Meetings

(Committees not listed did not meet)

No committee meetings were held.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced:

(See next issue.)

Additional Cosponsors:

(See next issue.)

Report Filed: A report was filed on January 3, 2009 as follows:

Summary of Activities of the Committee on Standards of Official Conduct for the 110th Congress (H. Rept. 110–938). (See next issue.)

Chaplain: The prayer was offered by the guest Chaplain, Cardinal Theodore E. McCarrick, Archbishop Emeritus of Washington. **Page H1**

Election Credentials for the Resident Commissioner and Delegates: The Clerk announced that credentials have been received showing the elections of the following: Honorable Pedro R. Pierluisi, Resident Commissioner from the Commonwealth of Puerto Rico; Honorable Eleanor Holmes Norton, Delegate from the District of Columbia; Honorable Madeleine Z. Bordallo, Delegate from Guam; Honorable Donna M. Christensen, Delegate from the Virgin Islands; Honorable Eni F.H. Faleomavaega, Delegate from American Samoa; and Honorable Gregorio Sablan, Delegate from the Commonwealth of the Northern Mariana Islands. **Page H2**

Member Resignation: The Clerk announced that she was in receipt of a letter of resignation from Representative Emanuel from the state of Illinois. Agreed without objection that the letters relating to his resignation will be printed in the Record.

Pages H2–3

Election of Speaker: The Honorable Nancy Pelosi of California was elected Speaker of the House of Representatives and received 255 votes. The Honorable John A. Boehner of Ohio received 174 votes. Earlier, the Clerk appointed Representatives-elect Brady (PA), Daniel E. Lungren (CA), Kaptur, and Ros-Lehtinen to act as Tellers. **Pages H3–4**

Escort Committee: The Clerk appointed the following committee to escort the Speaker-elect to the Chair: Representatives-elect Boehner, Hoyer, Clyburn, Cantor, Larson, Pence, Becerra, and McCotter and the members of the California delegation: Representatives-elect Stark, George Miller, Waxman, Lewis, Dreier, Berman, Gallegly, Herger, Rohrabacher, Waters, Calvert, Eshoo, Filner, McKeon, Roybal-Allard, Royce, Woolsey, Farr, Zoe Lofgren, Radanovich, Sherman, Loretta Sanchez, Tauscher, Capps, Bono Mack, Lee, Gary G. Miller, Napolitano, Thompson, Baca, Harman, Davis, Honda, Issa,

Schiff, Solis, Watson, Cardoza, Nunes, Linda T. Sánchez, Daniel E. Lungren, Costa, Matsui, Campbell, Bilbray, McCarthy, McNerney, Richardson, Speier, Hunter, and McClinton. **Page H4**

Administration of the Oath of Office to Members of the 111th Congress: The Dean of the House, the Honorable John D. Dingell, administered the oath of office to the Speaker. The Speaker then administered the oath to the Members, Resident Commissioner, and Delegates. **Page H5**

Election of Majority and Minority Leaders: The Chairman of the Democratic Caucus, Representative Larson, announced the election of Representative Steny H. Hoyer as the Majority Leader. The Chairman of the Republican Conference, Representative Pence, announced the election of Representative John A. Boehner as the Minority Leader. **Page H5**

Election of Majority and Minority Whips: The Chairman of the Democratic Caucus, Representative Larson, announced the election of Representative James E. Clyburn as the Majority Whip. The Chairman of the Republican Conference, Representative Pence, announced the election of Representative Eric Cantor as the Minority Whip. **Page H6**

Electing Officers of the House of Representatives: The House agreed to H. Res. 1, choosing the following officers for the House of Representatives: Lorraine C. Miller, Clerk; Wilson S. Livingood, Sergeant at Arms; Daniel P. Beard, Chief Administrative Officer; and Father Daniel P. Coughlin, Chaplain. **Page H6**

On a division of the question, rejected the Pence amendment that sought to choose Paula Nowakowski as Clerk; Steve Stombres as Sergeant at Arms; and Jo-Marie St. Martin as Chief Administrative Officer. **Page H6**

Notify the Senate that a Quorum Has Assembled: The House agreed to H. Res. 2, to inform the Senate that a quorum of the House has assembled and of the election of the Speaker and Clerk. **Page H6**

Notify the President of the Assembly of the 111th Congress: The House agreed to H. Res. 3, authorizing the Speaker to appoint members of the House to a joint committee to notify the President of the assembly of the Congress. Subsequently, the Speaker appointed Representatives Hoyer and Boehner to the committee. Later, Representatives Hoyer and Boehner each announced that the Committee had notified the President that a quorum of

each House had assembled and was ready to receive any communication that he may be pleased to make.

Page H6

Notify the President of the Election of the Speaker and the Clerk: The House agreed to H. Res. 4, authorizing the Clerk to inform the President of the election of the Speaker and the Clerk.

Page H6

Adopting Rules for the One Hundred Eleventh Congress: The House agreed to H. Res. 5, adopting the Rules of the House of Representatives for the One Hundred Eleventh Congress, by a yea-and-nay vote of 242 yeas to 181 nays, Roll No. 4.

Pages H6-20

Rejected the Dreier motion to commit the resolution to a select committee comprised of the Majority Leader and the Minority Leader with instructions to report back the same to the House forthwith with amendments, by a yea-and-nay vote of 174 yeas to 249 nays, Roll No. 3.

Pages H19-20

Election of Members to Certain Standing Committees: The House agreed to H. Res. 8, electing the following Members to certain standing committees of the House of Representatives: Committee on Agriculture: Representative Peterson, Chairman. Committee on Appropriations: Representative Obey, Chairman. Committee on Armed Services: Representative Skelton, Chairman. Committee on the Budget: Representative Spratt, Chairman. Committee on Education and Labor: Representative George Miller (CA), Chairman. Committee on Energy and Commerce: Representative Waxman, Chairman. Committee on Financial Services: Representative Frank (MA), Chairman. Committee on Foreign Affairs: Representative Berman, Chairman. Committee on Homeland Security: Representative Thompson (MS), Chairman. Committee on House Administration: Representative Brady (PA). Committee on the Judiciary: Representative Conyers, Chairman. Committee on Natural Resources: Representative Rahall, Chairman. Committee on Oversight and Government Reform: Representative Towns, Chairman. Committee on Rules: Representative Slaughter, Chairman; Representatives McGovern, Hastings (FL), Matsui, Cardoza, Welch, Castor (FL), Arcuri, and Sutton. Committee on Science and Technology: Representative Gordon (TN), Chairman. Committee on Small Business: Representative Velazquez, Chairman. Committee on Transportation and Infrastructure: Representative Oberstar, Chairman. Committee on Veterans Affairs: Representative Filner, Chairman. Committee on Ways and Means: Representative Rangel, Chairman.

Pages H20-21

Election of Certain Minority Members to Certain Standing Committees: The House agreed to H.

Res. 12, electing the following Members of the minority to certain standing committees of the House of Representatives: Committee on Agriculture: Representative Lucas. Committee on Appropriations: Representative Lewis (CA). Committee on Armed Services: Representative McHugh. Committee on the Budget: Representative Ryan (WI). Committee on Education and Labor: Representative McKeon. Committee on Energy and Commerce: Representative Barton (TX). Committee on Financial Services: Representative Bachus. Committee on Foreign Affairs: Representative Ros-Lehtinen. Committee on Homeland Security: Representative King (NY). Committee on the Judiciary: Representative Smith (TX). Committee on Natural Resources: Representative Hastings (WA). Committee on Oversight and Government Reform: Representative Issa. Committee on Rules: Representative Dreier. Committee on Science and Technology: Representative Hall (TX). Committee on Small Business: Representative Graves. Committee on Transportation and Infrastructure: Representative Mica. Committee on Veterans' Affairs: Representative Buyer. Committee on Ways and Means: Representative Camp.

Page H21

Daily Hour of Meeting: The House agreed to H. Res. 10, fixing the daily hour of meeting for the first session of the One Hundred Eleventh Congress.

Page H21

Assembly Outside of the District of Columbia: The House agreed to H. Con. Res. 1, regarding consent to assemble outside of the District of Columbia.

Page H21

Appointment Authority: Agreed that during the One Hundred Eleventh Congress, the Speaker, Majority Leader, and Minority Leader be authorized to accept resignations and to make appointments authorized by law or by the House.

Page H21

Extension of Remarks: Agreed that during the One Hundred Eleventh Congress, all Members be permitted to extend their remarks and to include extraneous material within the permitted limit in that section of the Record entitled "Extensions of Remarks".

Page H21

Morning-Hour Debate: Agreed to the procedures regarding the format for morning-hour debate for the first session of the One Hundred Eleventh Congress.

Pages H21-22

Policies of the Chair: The Chair announced her policies with respect to particular aspects of the legislative process dealing with (1) privileges of the floor; (2) introduction of bills and resolutions; (3) unanimous-consent requests for the consideration of legislation; (4) recognition for one-minute speeches;

(5) recognition for special-order speeches; (6) decorum in debate; (7) conduct of votes by electronic device; (8) use of handouts on the House floor; (9) use of electronic equipment on the House floor; and (10) use of the Chamber. Agreed without objection that the announcements will be printed in the Record.

Pages H22–24

House Office Building Commission: The Chair announced that Representatives Hoyer and Boehner will serve as members of the House Office Building Commission with the Speaker.

Page H24

Inspector General for the House of Representatives—Appointment: The Chair announced the joint appointment by the Speaker, the Majority Leader, and the Minority Leader of Mr. James J. Cornell of Springfield, Virginia, to the position of Inspector General for the House of Representatives for the One Hundred Eleventh Congress.

Page H24

Permanent Select Committee on Intelligence—Appointment: The Chair announced the Speaker's appointment of the following Members of the House to the Permanent Select Committee on Intelligence: Representative Reyes, Chairman, and Representative Hoekstra.

Page H24

Speaker Pro Tempore: Read a letter from the Speaker wherein she appointed Representative Hoyer and Representative Van Hollen to act as Speaker pro tempore to sign enrolled bills and joint resolutions in her absence during the period of the One Hundred Eleventh Congress.

Page H24

Clerk Designations: Read a letter from the Clerk wherein she designated Ms. Deborah M. Spriggs, Deputy Clerk, and Mr. Robert F. Reeves, Deputy Clerk, to sign any and all papers and do all other acts in case of her temporary absence or disability.

Page H24

Governing Board of the Office of Congressional Ethics—Reappointments: The Chair announced the reappointment of the following individuals to serve as the Governing Board of the Office of Congressional Ethics, pursuant to section 4(d) of H. Res. 5, 111th Congress, and the order of the House of today: Nominated by the Speaker with the concurrence of the Minority Leader: Mr. David Skaggs of Colorado, Chairman; Mrs. Yvonne Brathwaite Burke of California, subject to section 1(b)(6)(B); Ms. Karan English of Arizona, subject to section 1(b)(6)(B); and Mr. Abner Mikva of Illinois, Alternate. Nominated by the Minority Leader with the concurrence of the Speaker: Mr. Porter J. Goss of Florida, Cochairman; Mr. James M. Eagen III of Colorado, subject to section 1(b)(6)(B); Ms. Allison R. Hayward of Virginia, subject to section 1(b)(6)(B); and Mr. Bill Frenzel of Virginia, Alternate.

Page H24

Succession of the Speaker of the House: Read a letter from the Speaker wherein she designated Representative Hoyer to act jointly with the Majority Leader of the Senate, or his designee, in the event of the death or inability of the Speaker, to notify Members of the House and Senate of any reassembly.

Page H24

Order of Members to Act as Speaker Pro Tempore: The Chair announced that the Speaker delivered to the Clerk a letter dated January 6, 2009, listing Members in the order in which each shall act as Speaker pro tempore under clause 8(b)(3) of rule 1.

Page H24

Designation of Minority Employees: The House agreed to H. Res. 13, designating minority employees pursuant to the Legislative Pay Act of 1929, as amended.

Page H25

Senate Message: Message received from the Senate by the Clerk and subsequently presented to the House today appears on page H24.

Quorum Calls—Votes: Two yea-and-nay votes developed during the proceedings today and appear on pages 19 and 20. There was one quorum call, Roll No. 1, which appears on pages 1 and 2.

Adjournment: The House met at 12 noon and adjourned at 4:55 p.m.

Committee Meetings

ASSESSING MADOFF PONZI SCHEME AND THE NEED FOR REGULATORY REFORM

Committee on Financial Services: On January 5, the Committee met to discuss “Assessing the Madoff Ponzi Scheme and the Need for Regulatory Reform.” The following persons participated in the discussion: H. David Kotz, Inspector General, SEC; and non-governmental persons.

Joint Meetings

No joint committee meetings were held.

NEW PUBLIC LAWS

(For last listing of Public Laws, see DAILY DIGEST, p. D—)

H.R. 6859, to designate the facility of the United States Postal Service located at 1501 South Slappey Boulevard in Albany, Georgia, as the “Dr. Walter Carl Gordon, Jr. Post Office Building”. Signed on December 19, 2008. (Public Law 110–454)

S.J. Res. 46, ensuring that the compensation and other emoluments attached to the office of Secretary of State are those which were in effect on January 1, 2007. Signed on December 19, 2008. (Public Law 110–455)

H.R. 6184, to provide for a program for circulating quarter dollar coins that are emblematic of a national park or other national site in each State, the District of Columbia, and each territory of the United States, and for other purposes. Signed on December 23, 2008. (Public Law 110—456)

H.R. 7311, to authorize appropriations for fiscal years 2008 through 2011 for the Trafficking Victims Protection Act of 2000, to enhance measures to combat trafficking in persons, and for other purposes. Signed on December 23, 2008. (Public Law 110—457)

H.R. 7327, to make technical corrections related to the Pension Protection Act of 2006, and for other purposes. Signed on December 23, 2008. (Public Law 110—458)

S. 3663, to require the Federal Communications Commission to provide for a short-term extension of the analog television broadcasting authority so that essential public safety announcements and digital

television transition information may be provided for a short time during the transition to digital television broadcasting. Signed on December 23, 2008. (Public Law 110—459)

S. 3712, to make a technical correction in the Paul Wellstone and Pete Domenici Mental Health Parity and Addiction Equity Act of 2008. Signed on December 23, 2008. (Public Law 110—460)

**COMMITTEE MEETINGS FOR WEDNESDAY,
JANUARY 7, 2009**

(Committee meetings are open unless otherwise indicated)

Senate

No meetings/hearings scheduled.

House

Committee on Rules, to meet for organizational purposes, 10:30 a.m., H-313 Capitol.

Next Meeting of the SENATE

11:30 a.m., Wednesday, January 7

Senate Chamber

Program for Wednesday: Senate will be in a period of morning business.

(Senate will recess from 12:30 p.m. until 2:15 p.m. for their respective party conferences.)

Next Meeting of the HOUSE OF REPRESENTATIVES

10 a.m., Wednesday, January 7

House Chamber

Program for Wednesday: To be announced.

Extensions of Remarks, as inserted in this issue

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