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TEXT OF AMENDMENTS

SA 640. Mr. DEMINT submitted an amendment intended to be proposed by him to the bill H.R. 1105, making omnibus appropriations for the fiscal year ending September 30, 2009, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. Notwithstanding any other provision of this Act, none of the funds made available in Title II of Division C under the heading "JUVENILE JUSTICE PROGRAMS" under the heading "OFFICE OF JUSTICE PROGRAMS" may be used for the At the Park After Dark Gang Prevention Program in California through a congressionally directed spending initiative and the amount made available under that heading is reduced by \$50,000.

SA 641. Mr. DEMINT submitted an amendment intended to be proposed by him to the bill H.R. 1105, making omnibus appropriations for the fiscal year ending September 30, 2009, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. Notwithstanding any other provision of this Act, none of the funds made available in Title II of Division C under the heading "STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE" under the heading "OFFICE OF JUSTICE PROGRAMS" may be used for a tattoo removal violence prevention outreach program in California through a congressionally directed spending initiative and the amount made available under that heading is reduced by \$200,000.

SA 642. Mr. DEMINT submitted an amendment intended to be proposed by him to the bill H.R. 1105, making omnibus appropriations for the fiscal year ending September 30, 2009, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VII in Division A, before the short title, insert the following:

SEC. 7 _____. Notwithstanding any other provision of this Act, section 726 of this title shall have no effect.

SA 643. Mr. DEMINT submitted an amendment intended to be proposed by him to the bill H.R. 1105, making omnibus appropriations for the fiscal year ending September 30, 2009, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VII in Division A, before the short title, insert the following:

SEC. 7 _____. Notwithstanding any other provision of this Act, none of the funds made available under the heading "SALARIES AND EXPENSES" under the heading "AGRICULTURAL RESEARCH SERVICE" in title I may be

used for a honey bee laboratory in Texas through a congressionally directed spending initiative and the amount made available under that heading is reduced by \$1,762,000.

SA 644. Mr. DEMINT submitted an amendment intended to be proposed by him to the bill H.R. 1105, making omnibus appropriations for the fiscal year ending September 30, 2009, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title III of division F, add the following:

SEC. _____. PROHIBITION OF USE OF FUNDS TO TEACH SCIENTISTS TO TALK TO THE PRESS.

Notwithstanding any other provision of this Act—

(1) none of the funds appropriated or otherwise made available in title III of division F, under the heading "HIGHER EDUCATION" may be available for Stony Brook University School of Journalism in New York through a congressionally directed spending initiative; and

(2) the amount made available under such heading shall be reduced by \$214,000.

SA 645. Mr. DEMINT submitted an amendment intended to be proposed by him to the bill H.R. 1105, making omnibus appropriations for the fiscal year ending September 30, 2009, and for other purposes; which was ordered to lie on the table; as follows:

On page 427, lines 10 and 11, strike "\$6,590,000, to remain available until expended" and insert "\$5,090,000, to remain available until expended: *Provided*, That no amounts made available under this heading shall be made available for the California National Historic Trail Interpretive Center".

SA 646. Mr. DEMINT submitted an amendment intended to be proposed by him to the bill H.R. 1105, making omnibus appropriations for the fiscal year ending September 30, 2009, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VII in Division A, before the short title, insert the following:

SEC. 7 _____. (a) Notwithstanding any other provision of this Act, none of the funds made available under this Act may be used for congressionally directed spending initiative related to—

(1) the Virus-Free Wine Grape Cultivars or Wine/Grape Foundation Block in Washington;

(2) the Viticulture Consortium in California, New York, or Pennsylvania;

(3) the Center for Advanced Viticulture and Tree Crop Research in California; or

(4) the Center for Grape Genetics in New York.

(b) Notwithstanding any other provision of this Act, the amount made available under the heading "SALARIES AND EXPENSES" under the heading "AGRICULTURAL RESEARCH SERVICE" in title I is reduced by \$1,677,000.

(c) Notwithstanding any other provision of this Act, the amount made available under the heading "RESEARCH AND EDUCATION ACTIVITIES" under the heading "COOPERATIVE STATE RESEARCH, EDUCATION, AND EXTENSION SERVICE" in title I is reduced by \$4,384,000.

SA 647. Mr. DEMINT submitted an amendment intended to be proposed by him to the bill H.R. 1105, making omnibus appropriations for the fiscal year ending September 30, 2009, and for

other purposes; which was ordered to lie on the table; as follows:

At the end of title II of division B, add the following:

SEC. _____. PROHIBITION OF USE OF FUNDS FOR ANTI-BULLYING PROGRAMS.

Notwithstanding any other provision of this Act—

(1) none of the funds appropriated or otherwise made available in title II of division B, under the heading "JUVENILE JUSTICE PROGRAMS" may be available for the Self-Determination Anti-Bullying in Lifetown in Michigan through a congressionally directed spending initiative; and

(2) the amount made available under such heading shall be reduced by \$820,000.

SA 648. Mr. DEMINT submitted an amendment intended to be proposed by him to the bill H.R. 1105, making omnibus appropriations for the fiscal year ending September 30, 2009, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. Notwithstanding any other provision of this Act, section 110 of title I of division B shall have no effect.

SA 649. Mr. DEMINT submitted an amendment intended to be proposed by him to the bill H.R. 1105, making omnibus appropriations for the fiscal year ending September 30, 2009, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 221 of division F.

SA 650. Mr. DEMINT submitted an amendment intended to be proposed by him to the bill H.R. 1105, making omnibus appropriations for the fiscal year ending September 30, 2009, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. Notwithstanding any other provision of this Act, none of the funds appropriated under this Act may be used to repeal or amend part 88 of title 45, Code of Federal Regulations.

SA 651. Mr. DEMINT submitted an amendment intended to be proposed by him to the bill H.R. 1105, making omnibus appropriations for the fiscal year ending September 30, 2009, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. PROHIBITION OF USE OF APPROPRIATED FUNDS TO STUDY, RECOMMEND, OR IMPLEMENT A NEW METHOD OF TAXATION BASED ON VEHICLE MILES TRAVELED.

Notwithstanding any other provision of this Act, none of the funds appropriated or otherwise made available by this Act may be used to study, recommend, or implement a new method of taxation based on vehicle miles traveled.

SA 652. Mr. DEMINT submitted an amendment intended to be proposed by him to the bill H.R. 1105, making omnibus appropriations for the fiscal year ending September 30, 2009, and for other purposes; which was ordered to lie on the table; as follows:

On page 823, beginning on line 12, strike “may be used to pay” and all that follows through “practice abortions” on line 14 and insert “may be made available for any private, nongovernmental, or multilateral organization that performs or actively promotes abortion as a method of birth control”.

SA 653. Mr. DEMINT submitted an amendment intended to be proposed by him to the bill H.R. 1105, making omnibus appropriations for the fiscal year ending September 30, 2009, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title VI of division D, insert the following:

SEC. _____. No funds made available under this Act shall be used to ensure compliance with the requirements of subchapter IV of chapter 31 of title 40, United States Code, or any other provision of law requiring prevailing wages to be paid.

SA 654. Mr. DEMINT submitted an amendment intended to be proposed by him to the bill H.R. 1105, making omnibus appropriations for the fiscal year ending September 30, 2009, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. USE OF APPROPRIATED FUNDS FOR 2010 CENSUS.

Notwithstanding any other provision of this Act, funds appropriated or otherwise made available under this Act for the 2010 Census shall be used in a nonpartisan fashion preserving the integrity and independence of the census process, and no such funds shall be used by the Executive Office of the President or other political officials to interfere with the conduct of the 2010 Census or to manipulate the census process for partisan gain.

SA 655. Mr. DEMINT submitted an amendment intended to be proposed by him to the bill H.R. 1105, making omnibus appropriations for the fiscal year ending September 30, 2009, and for other purposes; which was ordered to lie on the table; as follows:

On page 183, between lines 21 and 22, insert the following:

SEC. _____. PREVENTION OF CONGRESSIONAL REAPPORTIONMENT DISTORTIONS.

Notwithstanding any other provision of this Act, no funds appropriated or otherwise made available under this Act may be used in conducting the 2010 Census to include aliens who are in the United States in violation of the immigration laws of the United States for purposes of tabulating population for the apportionment of Representatives in Congress among the several States.

SA 656. Mr. DEMINT submitted an amendment intended to be proposed by him to the bill H.R. 1105, making omnibus appropriations for the fiscal year ending September 30, 2009, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VI of division D, add the following:

SEC. 6 _____. PROHIBITION ON FUNDING FOR EMINENT DOMAIN.

(a) IN GENERAL.—Except as provided in subsection (b), notwithstanding any other provision of law, none of the funds made available by this Act shall be used for any exercise of eminent domain for the purpose

of taking from a private individual or entity an interest in property for transfer of ownership of, or a leasehold interest in, the interest to another private individual or entity.

(b) EXCEPTION.—Subsection (a) shall not apply to any transfer of an interest in property for—

- (1) use by a public utility;
- (2) a road or other right-of-way open to the public or common carriers for transportation;
- (3) an aqueduct, pipeline, or similar use;
- (4) a prison or hospital; or
- (5) any use relating to, and that occurs during, a national emergency or national disaster declared by the President under Federal law.

SA 657. Mr. DEMINT submitted an amendment intended to be proposed by him to the bill H.R. 1105, making omnibus appropriations for the fiscal year ending September 30, 2009, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. Notwithstanding any other provision of law, Federal funds may not be made available to the Palestinian Authority, any Federal Government agency, or other entity receiving any foreign assistance from the United States for humanitarian relief, reconstruction, or assistance in the Gaza Strip until the Secretary of State certifies to Congress that none of the United States foreign assistance is being used to provide material support or resources, training, or expert advice or assistance (as such terms are defined in section 2339A(b) of title 18, United States Code) to a terrorist organization (as defined in section 2339B(g)(6) of title 18, United States Code).

SA 658. Mr. DEMINT submitted an amendment intended to be proposed by him to the bill H.R. 1105, making omnibus appropriations for the fiscal year ending September 30, 2009, and for other purposes; which was ordered to lie on the table; as follows:

On page 1120, between lines 6 and 7, insert the following:

DETENTION OF INDIVIDUALS AT GUANTANAMO BAY, CUBA

SEC. 414. (a) None of the funds appropriated or otherwise made available by this Act may be used to construct, modify, or otherwise enhance any facility in the United States or its territories to house any individual held at the detainee complex at Guantanamo Bay, Cuba, as of the date of the enactment of this Act.

(b) Notwithstanding section 3 of this Act, for purposes of this section, the term “this Act” shall be treated as referring to divisions A through J of this Act.

SA 659. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill H.R. 1105, making omnibus appropriations for the fiscal year ending September 30, 2009, and for other purposes; which was ordered to lie on the table; as follows:

In title V of division B, insert after section 530 the following:

PROHIBITION ON USE OF FUNDS TO CONSTRUCT OR ENHANCE FACILITIES IN THE UNITED STATES TO HOUSE DETAINEES AT GUANTANAMO BAY, CUBA

SEC. 531. Notwithstanding any other provision of law, no funds appropriated or otherwise made available by this Act may be obli-

gated or expended to construct, modify, or otherwise enhance any facility in the United States or its territories to house any individual currently held at the detainee complex at Guantanamo Bay, Cuba

SA 660. Mr. VOINOVICH submitted an amendment intended to be proposed by him to the bill H.R. 1105, making omnibus appropriations for the fiscal year ending September 30, 2009, and for other purposes; which was ordered to lie on the table; as follows:

On page 444, line 21, insert “, of which \$2,000,000 shall be available for Cuyahoga Valley National Park, of which \$1,500,000 shall be available for emergencies and hardships, of which \$1,500,000 shall be available for inholdings,” before “and of which”.

SA 661. Mr. TESTER (for himself and Mr. BARRASSO) submitted an amendment intended to be proposed by him to the bill H.R. 1105, making omnibus appropriations for the fiscal year ending September 30, 2009, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. CABIN USER FEES.

Title VI of the Cabin User Fee Fairness Act of 2000 (16 U.S.C. 6201 et seq.) is amended by adding at the end the following:

“SEC. 615. DELAYED IMPLEMENTATION.

“(a) IN GENERAL.—Notwithstanding any other provision of this title, this title shall not be implemented until January 1, 2010.

“(b) PAYMENTS FOR 2009.—For fiscal year 2009, cabin user fees shall be equal to the fee applicable for fiscal year 2008, as adjusted under section 614(a).”.

SA 662. Mr. THUNE (for himself, Mr. DEMINT, Mr. INHOFE, and Mr. ENZI) submitted an amendment intended to be proposed by him to the bill H.R. 1105, making omnibus appropriations for the fiscal year ending September 30, 2009, and for other purposes; which was ordered to lie on the table; as follows:

On page 410, after line 2, insert the following:

SEC. 753. None of the funds appropriated in this Act may be used by the Federal Communications Commission to prescribe any rule, regulation, policy, doctrine, standard, guideline, or other requirement that has the purpose or effect of reinstating or repromulgating (in whole or in part) the requirement that broadcasters present or ascertain opposing viewpoints on issues of public importance, commonly referred to as the “Fairness Doctrine”, as such doctrine was repealed in In re Complaint of Syracuse Peace Council against Television Station WTVH, Syracuse New York, 2 FCC Rcd. 5043 (1987).

SA 663. Mr. ENZI (for himself and Mr. BARRASSO) submitted an amendment intended to be proposed by him to the bill H.R. 1105, making omnibus appropriations for the fiscal year ending September 30, 2009, and for other purposes; which was ordered to lie on the table; as follows:

On page 451, strike lines 3 through 9.

SA 664. Mr. BAUCUS (for himself, Mr. GRASSLEY, and Ms. STABENOW) submitted an amendment intended to be proposed by him to the bill H.R. 1105,

making omnibus appropriations for the fiscal year ending September 30, 2009, and for other purposes; which was ordered to lie on the table; as follows:

On page 679, after line 22, add the following:

SEC. 524. TRADE ADJUSTMENT ASSISTANCE FOR COMMUNITIES.—

(a) APPROPRIATIONS FOR TRADE ADJUSTMENT ASSISTANCE FOR COMMUNITIES.—There are appropriated—

(1) \$60,000,000 to the Economic Development Administration of the Department of Commerce to carry out the trade adjustment assistance for communities program under subchapter A of chapter 4 of the Trade Act of 1974;

(2) \$20,000,000 to the Secretary of Labor to carry out the Community College and Career Training Grant Program under subchapter B of chapter 4 of the Trade Act of 1974; and

(3) \$20,000,000 to the Secretary of Labor to carry out the Industry or Sector Partnership Grant Program for Communities Impacted by Trade under subchapter C of chapter 4 of the Trade Act of 1974.

(b) OFFSETS.—

(1) The amount appropriated or otherwise made available by title V of division D under the heading "LIMITATIONS ON AVAILABILITY OF REVENUE" under the heading "FEDERAL BUILDINGS FUND" under the heading "REAL PROPERTY ACTIVITIES" under the heading "GENERAL SERVICES ADMINISTRATION" is decreased by \$50,000,000.

(2) The amount appropriated or otherwise made available by title IV of this division under the heading "LIMITATION ON ADMINISTRATIVE EXPENSES" under the heading "SOCIAL SECURITY ADMINISTRATION" is decreased by \$50,000,000.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Mrs. BOXER. Mr. President, I ask unanimous consent that the Senate Committee on Agriculture, Nutrition, and Forestry be authorized to meet during the session of the Senate on Wednesday, March 4, 2009, at 9:30 a.m. in room 216 of the Hart Senate office building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FINANCE

Mrs. BOXER. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on Wednesday, March 4, 2009, at 10 a.m., in room 215 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mrs. BOXER. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Wednesday, March 4, 2009, at 2:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mrs. BOXER. Mr. President, I ask unanimous consent that the Com-

mittee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on Wednesday, March 4, 2009, at 9 a.m. to conduct a hearing entitled "Where Were the Watchdogs? Systemic Risk and the Breakdown of Financial Governance."

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mrs. BOXER. Mr. President, President, I ask unanimous consent that the Senate Committee on the Judiciary be authorized to meet during the session of the Senate, to conduct a hearing entitled "Getting to the Truth Through a Nonpartisan Commission of Inquiry" on Wednesday, March 4, 2009, at 10 a.m., in room SD-106 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

PERMANENT SUBCOMMITTEE ON INVESTIGATIONS

Mrs. BOXER. Mr. President, I ask unanimous consent that the Permanent Subcommittee on Investigations of the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on Wednesday, March 4, at 2:30 p.m., to conduct a hearing entitled "Tax Haven Banks and U.S. Tax Compliance—Obtaining the Names of U.S. Clients with Swiss Accounts."

The PRESIDING OFFICER. Without objection, it is so ordered.

SPECIAL COMMITTEE ON AGING

Mrs. BOXER. Mr. President, I ask unanimous consent that the Special Committee on Aging be authorized to meet during the session of the Senate on Wednesday, March 4, 2009 from 10 a.m.–12 p.m. in Dirksen 562.

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGES OF THE FLOOR

Mr. HARKIN. Mr. President, I ask unanimous consent that Sara Crouse and Lauren Gannon from my staff be granted the privilege of the floor for the duration of today's session.

The PRESIDING OFFICER. Without objection, it is so ordered.

MEASURE READ THE FIRST TIME—H.R. 146

Mr. WARNER. Madam President, I understand that H.R. 146 has been received from the House and is at the desk.

The PRESIDING OFFICER. The Senator is correct.

Mr. WARNER. I ask unanimous consent for its first reading.

The PRESIDING OFFICER. The clerk will read the title of the bill for the first time.

The legislative clerk read as follows:

A bill (H.R. 146) to establish a battlefield acquisition grant program for the acquisi-

tion and protection of nationally significant battlefields and associated sites of the Revolutionary War and the War of 1812, and for other purposes.

Mr. WARNER. Madam President, I ask for its second reading and object to my own request.

The PRESIDING OFFICER. Objection is heard.

The bill will receive its second reading on the next legislative day.

ORDERS FOR THURSDAY, MARCH 5, 2009

Mr. WARNER. Madam President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m. Thursday, March 5; that following the prayer and the pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, the time for the two leaders be reserved for their use later in the day, and the Senate proceed to a period of morning business for up to 1 hour, with Senators permitted to speak therein for up to 10 minutes each and with the time equally divided and controlled between the two leaders or their designees; further, that the Senate resume consideration of H.R. 1105, the Omnibus appropriations bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. WARNER. Madam President, earlier this evening the majority leader filed cloture on the Omnibus appropriations bill. As a result, the filing deadline for first-degree amendments is 1 p.m. tomorrow. Rollcall votes in relation to pending amendments are expected to occur throughout the day.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. WARNER. Madam President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 7:06 p.m., adjourned until Thursday, March 5, 2009, at 9:30 a.m.

NOMINATIONS

Executive nominations received by the Senate:

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

RONALD C. SIMS, OF WASHINGTON, TO BE DEPUTY SECRETARY OF DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT, VICE ROMOLO A. BERNARDI, RESIGNED.

OFFICE OF PERSONNEL MANAGEMENT

JOHN BERRY, OF THE DISTRICT OF COLUMBIA, TO BE DIRECTOR OF THE OFFICE OF PERSONNEL MANAGEMENT FOR A TERM OF FOUR YEARS, VICE LINDA M. SPRINGER, RESIGNED.