

SA 3717. Ms. SNOWE submitted an amendment intended to be proposed by her to the bill H.R. 4872, *supra*; which was ordered to lie on the table.

#### TEXT OF AMENDMENTS

**SA 3700.** Mr. COBURN proposed an amendment to the bill H.R. 4872, to provide for reconciliation pursuant to Title II of the concurrent resolution on the budget for fiscal year 2010 (S. Con. Res. 13); as follows:

At the end, add the following:

#### TITLE III—SECOND AMENDMENT PROTECTION

##### SEC. 3001. VETERANS SECOND AMENDMENT PROTECTION.

(a) **SHORT TITLE.**—This section may be cited as the “Veterans 2nd Amendment Protection Act”.

(b) **CONDITIONS FOR TREATMENT OF CERTAIN PERSONS AS ADJUDICATED MENTALLY INCOMPETENT FOR CERTAIN PURPOSES.**—

(1) **IN GENERAL.**—Chapter 55 of title 38, United States Code, is amended by adding at the end the following:

#### “§5511. Conditions for treatment of certain persons as adjudicated mentally incompetent for certain purposes

“In any case arising out of the administration by the Secretary of laws and benefits under this title, a person who is mentally incapacitated, deemed mentally incompetent, or experiencing an extended loss of consciousness shall not be considered adjudicated as a mental defective under subsection (d)(4) or (g)(4) of section 922 of title 18 without the order or finding of a judge, magistrate, or other judicial authority of competent jurisdiction that such person is a danger to himself or herself or others.”.

(2) **CLERICAL AMENDMENT.**—The table of sections at the beginning of chapter 55 of such title is amended by adding at the end the following new item:

“5511. Conditions for treatment of certain persons as adjudicated mentally incompetent for certain purposes.”.

(c) **SEVERABILITY.**—Notwithstanding any other provision of this Act, if any provision of this section, or any amendment made by this section, or the application of such provision or amendment to any person or circumstance is held to be unconstitutional, this section and amendments made by this section and the application of such provision or amendment to other persons or circumstances shall not be affected thereby.

(d) **EFFECTIVE DATE.**—The amendments made by this section shall take effect on the date of enactment of this Act.

**SA 3701.** Mr. SESSIONS proposed an amendment to the bill H.R. 4872, to provide for reconciliation pursuant to Title II of the concurrent resolution on the budget for fiscal year 2010 (S. Con. Res. 13); as follows:

At the end of subtitle A of title I, insert the following:

#### SEC. 1006. PROVISIONS TO ENSURE EFFECTIVE ELIGIBILITY VERIFICATION SYSTEM.

(a) **ELIGIBILITY FOR CREDITS AND COST-SHARING REDUCTIONS.**—

(1) **CREDITS.**—Section 36B of the Internal Revenue Code of 1986, as added by section 1401 of the Patient Protection and Affordable Care Act, is amended—

(A) in subsection (c) (1), by striking subparagraph (B) and by redesignating subparagraphs (C) and (D) as subparagraphs (B) and (C), respectively, and

(B) by striking paragraph (3) of subsection (e).

(2) **REDUCED COST-SHARING.**—Section 1402 of the Patient Protection and Affordable Care Act is amended—

(A) by striking the last sentence of subsection (b),

(B) by striking paragraph (3) of subsection (e), and

(C) by adding at the end of subsection (f) the following:

“(4) **SUBSIDIES TREATED AS PUBLIC BENEFIT.**—Notwithstanding any other provision of this Act or any other provision of law, for purposes of section 403 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1613), the following shall be considered a Federal means-tested public benefit:

“(A) The ability of an individual to purchase a qualified health plan offered through an Exchange.

“(B) The premium tax credit established under section 1401 of this Act (and any advance payment thereof).

“(C) The cost sharing reductions established under this section (and any advance payment thereof).”.

(b) **ELIGIBILITY DETERMINATIONS.**—Section 1411 of the Patient Protection and Affordable Care Act is amended—

(1) in subsection (a)—

(A) by striking so much of such subsection as precedes paragraph (1) and inserting:

“(a) **VERIFICATION PROCESS.**—The Secretary shall ensure that eligibility determinations required by this Act are conducted in accordance with the following requirements, including requirements for determining:”, and

(B) by inserting “eligible” before “alien” in paragraph (1),

(2) in subsection (b)(1)—

(A) by inserting “the Exchange with the following” after “provide”,

(B) by striking “and” at the end of subparagraph (A), by redesignating subparagraph (B) as subparagraph (C) and by inserting after subparagraph (A) the following:

“(B) A sworn statement, under penalty of perjury, specifically attesting to the fact that each enrollee is either a citizen or national of the United States or an eligible lawful permanent resident meeting the requirements of section 1402(f)(3) of this Act and identifying the applicable eligibility status for each enrollee; and”, and

(C) by inserting “and documentation” after “information” in subparagraph (C) (as so redesignated),

(3) by striking subparagraphs (A) and (B) of subsection (b)(2) and inserting the following:

“(A) In the case of an enrollee whose eligibility is based on attestation of citizenship of the enrollee, the enrollee shall provide satisfactory evidence of citizenship or nationality (within the meaning of section 1903(x) of the Social Security Act (42 U.S.C. 1396b)).

“(B) In the case of an individual whose eligibility is based on attestation of the enrollee’s immigration status—

“(i) such information as is necessary for the individual to demonstrate they are in ‘satisfactory immigration status’ as defined and in accordance with the Systematic Alien Verification for Entitlements (SAVE) program established by section 1137 of the Social Security Act (42 U.S.C. 1320b-7), and

“(ii) any other additional identifying information as the Secretary, in consultation with the Secretary of Homeland Security, may require in order for the enrollee to demonstrate satisfactory immigration status.”.

(4) by striking so much of subsection (c) as precedes paragraph (3) and inserting the following:

“(c) **VERIFICATION OF ELIGIBILITY THROUGH DOCUMENTATION.**—

“(1) **IN GENERAL.**—Each Exchange shall conduct eligibility verification, using the information provided by an applicant under subsection (b), in accordance with this subsection.

“(2) **VERIFICATION OF CITIZENSHIP OR IMMIGRATION STATUS.**—

“(A) **VERIFICATION OF ATTESTATION OF CITIZENSHIP.**—Each Exchange shall verify the eligibility of each enrollee who attests that they are a citizen or national of the United States, as required by subsection (b)(1)(A) of this section, in accordance with the provisions of section 1903(x) of the Social Security Act.

“(B) **VERIFICATION OF ATTESTATION OF ELIGIBLE IMMIGRATION STATUS.**—Each Exchange shall verify the eligibility of each enrollee who attests that they are eligible to participate in the exchange by virtue of having been a lawful permanent resident for not less than 5 years, as required by subsection (b)(1)(B) of this section, in accordance with the provisions of section 1137 of the Social Security Act.”.

(5) by striking subparagraph (B) of subsection (c)(4),

(6) by striking subsection (d) and redesignating subsections (e) through (i) as subsections (d) through (h), respectively, and

(7) by striking “under section 1902(ee) of the Social Security Act (as in effect on January 1, 2010)” in subsection (d)(3) (as redesignated under paragraph (6)) and inserting “in accordance with the secondary verification process established consistent with section 1137 of the Social Security Act (as is in effect as of January 1, 2009)”.

**SA 3702.** Mr. CRAPO submitted an amendment intended to be proposed by him to the bill H.R. 4872, to provide for reconciliation pursuant to Title II of the concurrent resolution on the budget for fiscal year 2010 (S. Con. Res. 13); which was ordered to lie on the table; as follows:

At the end of section 1002, insert the following:

(c) **EXEMPTION FOR INDIVIDUALS WHO ARE UNEMPLOYED.**—Section 5000A(e) of the Internal Revenue Code of 1986, as so added and amended, is amended by adding at the end the following:

“(6) **INDIVIDUALS WHO ARE UNEMPLOYED.**—Any applicable individual for any month if such individual is receiving unemployment compensation for any week during such month under any Federal or State unemployment compensation.”.

**SA 3703.** Mr. CRAPO submitted an amendment intended to be proposed by him to the bill H.R. 4872, to provide for reconciliation pursuant to Title II of the concurrent resolution on the budget for fiscal year 2010 (S. Con. Res. 13); which was ordered to lie on the table; as follows:

Strike section 1002 and insert the following:

#### SEC. 1002. REPEAL OF INDIVIDUAL MANDATE.

Sections 1501 and 1502 and subsections (a), (b), (c), and (d) of section 10106 of the Patient Protection and Affordable Care Act (and the amendments made by such sections and subsections) are repealed and the Internal Revenue Code of 1986 shall be applied and administered as if such provisions and amendments had never been enacted.

**SA 3704.** Mr. CRAPO submitted an amendment intended to be proposed by

him to the bill H.R. 4872, to provide for reconciliation pursuant to Title II of the concurrent resolution on the budget for fiscal year 2010 (S. Con. Res. 13); which was ordered to lie on the table; as follows:

At the end of subtitle E of title I, add the following:

**SEC. 14. EXEMPTION OF MIDDLE INCOME INDIVIDUAL AND FAMILIES FROM INDIVIDUAL MANDATE.**

(a) IN GENERAL.—Section 5000A(e) of the Internal Revenue Code of 1986, as added by the Patient Protection and Affordable Care Act, is amended by adding at the end the following new paragraph:

“(6) MIDDLE INCOME INDIVIDUALS AND FAMILIES.—Any applicable individual for any month during a calendar year if the individual’s household income for the taxable year described in section 1412(b)(1)(B) of the Patient Protection and Affordable Care Act is less than \$200,000 (\$250,000 in the case of a joint return), determined in the same manner as under subsection (c)(4).”

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years ending after December 31, 2013.

**SA 3705.** Mr. CRAPO submitted an amendment intended to be proposed by him to the bill H.R. 4872, to provide for reconciliation pursuant to Title II of the concurrent resolution on the budget for fiscal year 2010 (S. Con. Res. 13); which was ordered to lie on the table; as follows:

At the end of subtitle B of title I, insert the following:

**SEC. . PRESERVING MEDICARE BENEFICIARY ACCESS TO SKILLED NURSING CARE.**

(a) IN GENERAL.—Effective as if included in the enactment of the Patient Protection and Affordable Care Act, section 3401(b) of such Act (and the amendments made by such section) are repealed.

(b) EXPANSION OF AFFORDABILITY EXCEPTION TO INDIVIDUAL MANDATE.—Section 5000A(e)(1)(A) of the Internal Revenue Code of 1986, as added by section 1501(b) of the Patient Protection and Affordable Care Act, is amended by striking “8 percent” and inserting “5 percent”.

**SA 3706.** Mr. CRAPO submitted an amendment intended to be proposed by him to the bill H.R. 4872, to provide for reconciliation pursuant to Title II of the concurrent resolution on the budget for fiscal year 2010 (S. Con. Res. 13); which was ordered to lie on the table; as follows:

On page 99, between lines 9 and 10, insert the following:

(e) EXCLUSION OF MEDICAL DEVICES FOR CANCER DIAGNOSIS AND TREATMENT.—

(1) IN GENERAL.—For purposes of section 4191(b)(1) of the Internal Revenue Code of 1986, as added by subsection (a), the term “taxable medical device” shall not include any device which is primarily designed to diagnose or treat any form of cancer.

(2) EXPANSION OF AFFORDABILITY EXCEPTION TO INDIVIDUAL MANDATE.—Section 5000A(e)(1)(A) of the Internal Revenue Code of 1986, as added by section 1501(b) of the Patient Protection and Affordable Care Act and amended by section 10106 of such Act, is amended by striking “8 percent” and inserting “5 percent”.

(3) APPLICATION OF PROVISION.—The amendment made by paragraph (2) shall apply as if included in the Patient Protection and Affordable Care Act.

**SA 3707.** Ms. MURKOWSKI submitted an amendment intended to be proposed by her to the bill H.R. 4872, to provide for reconciliation pursuant to Title II of the concurrent resolution on the budget for fiscal year 2010 (S. Con. Res. 13); which was ordered to lie on the table; as follows:

At the end of section 1402(a), add the following:

(5) INFLATION ADJUSTMENT.—

(A) IN GENERAL.—Section 1411 of the Internal Revenue Code of 1986, as added by paragraph (1), is amended by adding at the end the following new subsection:

“(f) ADJUSTMENT FOR INFLATION.—In the case of any taxable year beginning after December 31, 2013, each of the dollar amounts under paragraphs (1) and (3) of subsection (b) shall be increased by an amount equal to—

“(1) such amount, multiplied by

“(2) the cost-of-living adjustment determined under section 1(f)(3) for the calendar year in which such taxable year begins by substituting ‘calendar year 2012’ for ‘calendar year 1992’ in subparagraph (B) thereof. If any increase determined under this subsection is not a multiple of \$1,000, such increase shall be rounded to the next lowest multiple of \$1,000.”

(B) RESCISSION OF CERTAIN STIMULUS FUNDS.—Notwithstanding section 5 of the American Recovery and Reinvestment Act of 2009 (Public Law 111–5; 123 Stat. 116), from the amounts appropriated or made available under division A such Act (other than under title X of such division A), there is rescinded \$1,400,000,000 of any remaining unobligated amounts. The Director of the Office of Management and Budget shall apply the rescission in a pro rata manner with respect to such amounts. The Director of the Office of Management and Budget shall report to each congressional committee the amounts so rescinded within the jurisdiction of such committee.

**SA 3708.** Ms. MURKOWSKI submitted an amendment intended to be proposed by her to the bill H.R. 4872, to provide for reconciliation pursuant to Title II of the concurrent resolution on the budget for fiscal year 2010 (S. Con. Res. 13); which was ordered to lie on the table; as follows:

On page 94, between lines 20 and 21, insert the following:

(2) INFLATION ADJUSTMENT.—

(A) FICA.—Paragraph (2) of section 3101(b) of the Internal Revenue Code of 1986, as added by section 9015 of the Patient Protection and Affordable Care Act and amended by section 10906 of such Act and paragraph (1), is amended—

(i) by striking “In addition” and inserting the following:

“(A) IN GENERAL.—In addition”, and

(ii) by striking “and which are in excess of” and all that follows and inserting “and which are in excess of—

“(i) in the case of a joint return, \$250,000,

“(ii) in the case of a married taxpayer (as defined in section 7703) filing a separate return, one-half the dollar amount determined under clause (i), and

“(iii) in any other case, \$200,000.

(B) INFLATION ADJUSTMENT.—In the case of any taxable year beginning after 2013, the \$250,000 and \$200,000 amounts under subparagraph (A) shall each be increased by an amount equal to—

“(i) such dollar amount, multiplied by

“(ii) the cost-of-living adjustment determined under section 1(f)(3) for the calendar year in which the taxable year begins, deter-

mined by substituting ‘calendar year 2012’ for ‘calendar year 1992’ in subparagraph (B) thereof.

Any increase determined under the preceding sentence shall be rounded to the nearest multiple of \$1,000.”

(B) SECA.—

(i) IN GENERAL.—Paragraph (2) of section 1401(b) of the Internal Revenue Code of 1986, as added by section 9015 of the Patient Protection and Affordable Care Act and amended by section 10906 of such Act, is amended by redesignating subparagraph (B) as subparagraph (C) and by inserting after subparagraph (A) the following new subparagraph:

“(B) INFLATION ADJUSTMENT.—In the case of any taxable year beginning after 2013, the \$250,000 and \$200,000 amounts under subparagraph (A) shall each be increased by an amount equal to—

“(i) such dollar amount, multiplied by

“(ii) the cost-of-living adjustment determined under section 1(f)(3) for the calendar year in which the taxable year begins, determined by substituting ‘calendar year 2012’ for ‘calendar year 1992’ in subparagraph (B) thereof.

Any increase determined under the preceding sentence shall be rounded to the nearest multiple of \$1,000.”

(ii) CONFORMING AMENDMENT.—Subparagraph (C) of section 1401(b)(2) of such Code, as added by section 9015 of the Patient Protection and Affordable Care Act and redesignated by subparagraph (A), is amended by inserting “(after the application of subparagraph (B))” after “subparagraph (A)”.

(C) REPLENISHMENT OF GENERAL FUND THROUGH RESCISSION OF CERTAIN STIMULUS FUNDS.—Notwithstanding section 5 of the American Recovery and Reinvestment Act of 2009 (Public Law 111–5; 123 Stat. 116), from the amounts appropriated or made available under division A such Act (other than under title X of such division A), there is rescinded \$1,600,000,000 of any remaining unobligated amounts. The Director of the Office of Management and Budget shall apply the rescission in a pro rata manner with respect to such amounts. The Director of the Office of Management and Budget shall report to each congressional committee the amounts so rescinded within the jurisdiction of such committee.

**SA 3709.** Mr. THUNE submitted an amendment intended to be proposed by him to the bill H.R. 4872, to provide for reconciliation pursuant to Title II of the concurrent resolution on the budget for fiscal year 2010 (S. Con. Res. 13); which was ordered to lie on the table; as follows:

On page 113, after line 21, add the following:

**SEC. 1502. TRANSPARENCY IN GOVERNMENT.**

Not later than 180 days after the date of enactment of this Act, to ensure transparency in Government—

(1) the Librarian of Congress shall make publicly available, in the same accurate, timely, and complete manner as made available to Members of Congress and congressional staff, the Legislative Information System website and the Congressional Research Service website operated by the Library of Congress;

(2) the Secretary of the Senate shall make publicly available, in the same accurate, timely, and complete manner as made available to Members of Congress and congressional staff, the Amendment Tracking System website of the Senate; and

(3) the Sergeant at Arms of the Senate and the Chief Administrative Officer of the House of Representatives shall enter into a

contract with C-SPAN, under which C-SPAN shall—

(A) provide television cameras for and make a video recording of any legislative meeting of a committee of either House of Congress, a joint committee of Congress, or a committee of conference of Congress at which a quorum is present, except to the extent necessary to protect national security; and

(B) make the video recordings publicly available.

**SA 3710.** Mr. ENSIGN (for himself and Mr. BROWN of Massachusetts) proposed an amendment to the bill H.R. 4872, to provide for reconciliation pursuant to Title II of the concurrent resolution on the budget for fiscal year 2010 (S. Con. Res. 13); as follows:

Strike section 1002 and insert the following:

**SEC. 1002. REPEAL OF PENALTY FOR FAILURE TO MAINTAIN MINIMUM ESSENTIAL COVERAGE.**

Section 5000A of the Internal Revenue Code of 1986, as added by the Patient Protection and Affordable Care Act, is amended by striking subsections (b), (c), (e), and (g).

**SA 3711.** Ms. MURKOWSKI proposed an amendment to the bill H.R. 4872, to provide for reconciliation pursuant to Title II of the concurrent resolution on the budget for fiscal year 2010 (S. Con. Res. 13); as follows:

On page 94, between lines 20 and 21, insert the following:

(2) INFLATION ADJUSTMENT.—

(A) FICA.—Paragraph (2) of section 3101(b) of the Internal Revenue Code of 1986, as added by section 9015 of the Patient Protection and Affordable Care Act and amended by section 10906 of such Act and paragraph (1), is amended—

(i) by striking “In addition” and inserting the following:

“(A) IN GENERAL.—In addition”, and

(ii) by striking “and which are in excess of” and all that follows and inserting “and which are in excess of—

“(i) in the case of a joint return, \$250,000,

“(ii) in the case of a married taxpayer (as defined in section 7703) filing a separate return, one-half the dollar amount determined under clause (i), and

“(iii) in any other case, \$200,000.

“(B) INFLATION ADJUSTMENT.—In the case of any taxable year beginning after 2013, the \$250,000 and \$200,000 amounts under subparagraph (A) shall each be increased by an amount equal to—

“(i) such dollar amount, multiplied by

“(ii) the cost-of-living adjustment determined under section 1(f)(3) for the calendar year in which the taxable year begins, determined by substituting ‘calendar year 2012’ for ‘calendar year 1992’ in subparagraph (B) thereof.

Any increase determined under the preceding sentence shall be rounded to the nearest multiple of \$1,000.”.

(B) SECA.—

(i) IN GENERAL.—Paragraph (2) of section 1401(b) of the Internal Revenue Code of 1986, as added by section 9015 of the Patient Protection and Affordable Care Act and amended by section 10906 of such Act, is amended by redesignating subparagraph (B) as subparagraph (C) and by inserting after subparagraph (A) the following new subparagraph:

“(B) INFLATION ADJUSTMENT.—In the case of any taxable year beginning after 2013, the \$250,000 and \$200,000 amounts under subparagraph (A) shall each be increased by an amount equal to—

“(i) such dollar amount, multiplied by

“(ii) the cost-of-living adjustment determined under section 1(f)(3) for the calendar year in which the taxable year begins, determined by substituting ‘calendar year 2012’ for ‘calendar year 1992’ in subparagraph (B) thereof.

Any increase determined under the preceding sentence shall be rounded to the nearest multiple of \$1,000.”.

(ii) CONFORMING AMENDMENT.—Subparagraph (C) of section 1401(b)(2) of such Code, as added by section 9015 of the Patient Protection and Affordable Care Act and redesignated by subparagraph (A), is amended by inserting “(after the application of subparagraph (B))” after “subparagraph (A)”.

(C) REPLENISHMENT OF GENERAL FUND THROUGH RESCISSION OF CERTAIN STIMULUS FUNDS.—Notwithstanding section 5 of the American Recovery and Reinvestment Act of 2009 (Public Law 111–5; 123 Stat. 116), from the amounts appropriated or made available under division A such Act (other than under title X of such division A), there is rescinded \$1,600,000,000 of any remaining unobligated amounts. The Director of the Office of Management and Budget shall apply the rescission in a pro rata manner with respect to such amounts. The Director of the Office of Management and Budget shall report to each congressional committee the amounts so rescinded within the jurisdiction of such committee.

**SA 3712.** Mr. CORNYN proposed an amendment to the bill H.R. 4872, to provide for reconciliation pursuant to Title II of the concurrent resolution on the budget for fiscal year 2010 (S. Con. Res. 13); as follows:

At the end of subtitle C of title I, add the following:

**SEC. 1207. FMAP REDUCTION FOR HIGH PAYMENT ERROR RATE.**

Section 1905 of the Social Security Act, as amended by section 1202(b) of this Act, is amended by adding at the end the following:

“(ee) DECREASED FMAP FOR HIGH PAYMENT ERROR RATE MEASUREMENT.—Notwithstanding any other provision of this title, beginning January 1, 2014, in the case of a State for which the payment error rate measurement (commonly referred to as ‘PERM’) is at least 10 percent, the Federal medical assistance percentage otherwise applicable to the State with respect to payments for medical assistance for individuals enrolled in the State plan under subclause (VIII) or (IX) of section 1902(a)(10)(A)(i) or subclause (XX) or (XXI) of section 1902(a)(10)(A)(ii) shall be reduced by 1 percentage point until the date on which the Secretary determines that the PERM for the State is below 10 percent.”.

**SA 3713.** Ms. SNOWE submitted an amendment intended to be proposed by her to the bill H.R. 4872, to provide for reconciliation pursuant to Title II of the concurrent resolution on the budget for fiscal year 2010 (S. Con. Res. 13); which was ordered to lie on the table; as follows:

At the end of subtitle A of title I, insert the following:

**SEC. 1006. SMALL BUSINESSES WITH UP TO 100 EMPLOYEES TO ACCESS THE SHOP EXCHANGES IN 2014.**

(a) IN GENERAL.—Section 1304(b)(3) of the Patient Protection and Affordable Care Act is repealed and such Act shall be applied and administered as if such provision had not been enacted.

(b) EFFECTIVE DATE.—The amendment made by this section shall take effect as if

included in the Patient Protection and Affordable Care Act.

**SA 3714.** Ms. SNOWE submitted an amendment intended to be proposed by her to the bill H.R. 4872, to provide for reconciliation pursuant to Title II of the concurrent resolution on the budget for fiscal year 2010 (S. Con. Res. 13); which was ordered to lie on the table; as follows:

At the end of subtitle A of title I, add the following:

**SEC. 1. MULTI-STATE PLANS.**

Section 1334 of the Patient Protection and Affordable Care Act (as added by section 10104(q) of such Act), is amended by adding at the end the following:

“(j) ADDITIONAL REQUIREMENTS.—In implementing this section, the Director—

“(1) notwithstanding subsection (a)(4)(B), shall not in any way limit the profits of any entity offering a multi-State plan;

“(2) shall ensure that multi-State plans are offered in all States; and

“(3) shall ensure that the rating rules provided for under part A of title XXVII of the Public Health Service Act apply with respect to multi-State plans, except that a State may enact a State law to impose more restrictive rating rules.”.

**SA 3715.** Ms. SNOWE submitted an amendment intended to be proposed by her to the bill H.R. 4872, to provide for reconciliation pursuant to Title II of the concurrent resolution on the budget for fiscal year 2010 (S. Con. Res. 13); which was ordered to lie on the table; as follows:

On page 11, beginning with line 19, strike all through page 12, line 9.

**SA 3716.** Ms. SNOWE submitted an amendment intended to be proposed by her to the bill H.R. 4872, to provide for reconciliation pursuant to Title II of the concurrent resolution on the budget for fiscal year 2010 (S. Con. Res. 13); which was ordered to lie on the table; as follows:

Strike section 1002 and insert the following:

**SEC. 1002. REPEAL OF INDIVIDUAL MANDATE.**

Sections 1501 and 1502 and subsections (a), (b), (c), and (d) of section 10106 of the Patient Protection and Affordable Care Act (and the amendments made by such sections and subsections) are repealed and the Internal Revenue Code of 1986 shall be applied and administered as if such provisions and amendments had never been enacted.

**SA 3717.** Ms. SNOWE submitted an amendment intended to be proposed by her to the bill H.R. 4872, to provide for reconciliation pursuant to Title II of the concurrent resolution on the budget for fiscal year 2010 (S. Con. Res. 13); which was ordered to lie on the table; as follows:

On page 92, between lines 16 and 17, insert the following:

“(f) TAX NOT IMPOSED UNTIL SGR REPEALED.—No tax shall be imposed under this section for any taxable year beginning in a calendar year before the calendar year in which the repeal of sustainable growth rate methodology under the Medicare physician fee schedule under section 1848 of the Social Security Act first takes effect.”.

## NOTICE OF HEARING

IMPEACHMENT TRIAL COMMITTEE ON THE ARTICLES AGAINST JUDGE G. THOMAS PORTEOUS, JR.

Mrs. McCASKILL. Mr. President, I wish to announce that the Impeachment Trial Committee on the Articles Against Judge G. Thomas Porteous, Jr. will meet on Tuesday, April 13, 2010, at 4:00 p.m., to conduct its organization meeting.

For further information regarding this meeting, please contact Derron Parks on 202-224-6154.

## AUTHORITY FOR COMMITTEES TO MEET

SUBCOMMITTEE ON INTERNATIONAL TRADE, CUSTOMS, AND GLOBAL COMPETITIVENESS

Ms. LANDRIEU. Mr. President, I ask unanimous consent that the Subcommittee on International Trade, Customs, and Global Competitiveness of the Committee on Finance be authorized to meet during the session of the Senate on March 25, 2010, at 2:30 p.m., in room 215 of the Dirksen Senate Office Building, to conduct a hearing entitled "Doubling U.S. Exports: Are U.S. Sea Ports Ready for the Challenge?"

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

## SIGNING AUTHORITY

Mr. DURBIN. Madam President, I ask unanimous consent that the majority leader be authorized to sign any duly enrolled bills and joint resolutions through Friday, March 26, 2010.

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

## ORDERS FOR FRIDAY, MARCH 26, 2010

Mr. DURBIN. Madam President, I ask unanimous consent that when the Senate completes its business today, it recess until 9:30 a.m., tomorrow, Friday, March 26; that following the prayer and pledge, the Journal of proceedings be approved to date, 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, with the time until 12:30 p.m. equally divided and controlled between Senators STABENOW and COBURN or their designees.

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

## PROGRAM

Mr. DURBIN. Madam President, tomorrow, we will continue to try to reach an agreement to take up and pass legislation to extend for 30 days the important unemployment and COBRA benefits that expire soon.

RECESS UNTIL 9:30 A.M.  
TOMORROW

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

There being no objection, the Senate, at 9:33 p.m., recessed until Friday, March 26, 2010, at 9:30 a.m.

## NOMINATIONS

Executive nominations received by the Senate:

## THE JUDICIARY

MARY HELEN MURGUIA, OF ARIZONA, TO BE UNITED STATES CIRCUIT JUDGE FOR THE NINTH CIRCUIT, VICE MICHAEL D. HAWKINS, RETIRED.

## DEPARTMENT OF JUSTICE

JERRY E. MARTIN, OF TENNESSEE, TO BE UNITED STATES ATTORNEY FOR THE MIDDLE DISTRICT OF TENNESSEE FOR THE TERM OF FOUR YEARS, VICE EDWARD MEACHAM YARBROUGH.

JAMES A. LEWIS, OF ILLINOIS, TO BE UNITED STATES ATTORNEY FOR THE CENTRAL DISTRICT OF ILLINOIS FOR THE TERM OF FOUR YEARS, VICE RODGER A. HEATON.

MELINDA L. HAAG, OF CALIFORNIA, TO BE UNITED STATES ATTORNEY FOR THE NORTHERN DISTRICT OF CALIFORNIA FOR THE TERM OF FOUR YEARS, VICE JOSEPH P. RUSSONIELLO.

FRANK LEON GUERRERO, OF GUAM, TO BE UNITED STATES MARSHAL FOR THE DISTRICT OF GUAM AND CONCURRENTLY UNITED STATES MARSHAL FOR THE DISTRICT OF THE NORTHERN MARIANA ISLANDS FOR THE TERM OF FOUR YEARS, VICE JOAQUIN L. G. SALAS.

ROBERT E. ALMONTE, OF TEXAS, TO BE UNITED STATES MARSHAL FOR THE WESTERN DISTRICT OF TEXAS FOR THE TERM OF FOUR YEARS, VICE LAFAYETTE COLINS.

DALLAS STEPHEN NEVILLE, OF WISCONSIN, TO BE UNITED STATES MARSHAL FOR THE WESTERN DISTRICT OF WISCONSIN FOR THE TERM OF FOUR YEARS, VICE STEPHEN GILBERT FITZGERALD.

## THE JUDICIARY

TODD E. EDELMAN, OF THE DISTRICT OF COLUMBIA, TO BE AN ASSOCIATE JUDGE OF THE SUPERIOR COURT OF THE DISTRICT OF COLUMBIA FOR THE TERM OF FIFTEEN YEARS, VICE CHERYL M. LONG, RETIRED.

JUDITH ANNE SMITH, OF THE DISTRICT OF COLUMBIA, TO BE AN ASSOCIATE JUDGE OF THE SUPERIOR COURT OF THE DISTRICT OF COLUMBIA FOR THE TERM OF FIFTEEN YEARS, VICE GEOFFREY M. ALPRIN, RETIRED.

## IN THE ARMY

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY AS CHAPLAINS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

*To be major*

DINO J. BESINGA  
KENNETH M. BOLIN  
THOMAS A. BROOKS  
JAMES P. COVEY  
MICHAEL C. COX  
DANIEL S. DUNN  
DONALD W. EHRKE  
ANTHONY W. FLORES  
JONATHAN W. FOWLER  
PAUL D. FRITTS  
SHAWN P. GEE  
DAVID S. GOLDSTROM  
DENISE A. HAGLER  
JAMES P. HALL  
JERRY D. HALL, JR.  
DANIEL W. HARDIN  
MICHAEL J. HART  
MICHAEL R. HENDERSON  
LOREN B. HUTSELL  
ALAN M. IRIZARRY  
EDWARD A. JACKSON  
GREGORY S. JACKSON  
ANTHONY S. KAZARNOWICZ  
JAMES D. KEY  
HYEONJOONG KIM  
HYOKCHAN D. KIM  
JESSE R. KING  
SCOTT B. KOEMAN  
LUIS V. KRUGER, JR.  
CHARLES H. LAHMON  
MONICA R. LAWSON  
LINDA LESANE  
FERDINAND E. MADU  
TIMOTHY E. MARACLE  
WALTER MARSHALL  
JEFFREY T. MCKINNEY  
DAVID W. MEYER  
STEVEN C. MICKEL  
JOHN M. MORGAN  
JASON K. NOBLES

BRIAN G. PALMER  
CHARLES S. PAUL  
SEAN A. PHILLIPS  
STEPHEN PRATEL, SR.  
ANTHONY P. RANDALL  
JOSE R. SALCIDO, JR.  
CHARLES E. SCOTT  
STEVEN A. SLAUSON  
HENRY C. SOUSSAN  
DAVID R. STONER  
VIRGIL J. THOMAS  
WILLIAM B. TRIPP  
PETER M. UHDE  
TIMOTHY S. VALENTINE  
JEFFREY T. VANNESS  
CODY J. VEST  
KEVIN E. WAINWRIGHT  
GEORGE L. WALLACE  
ERNEST P. WEST, JR.  
TIMOTHY E. WILSON  
SANG J. WON

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

*To be colonel*

JAMES J. AIELLO  
FORREST BANKSTON, JR.  
JOHN W. BUFFINGTON  
ANGELO M. CAPOLUPO  
PABLO ESTRADA, JR.  
GERARD FRIDMANN  
VERNE C. MCMOARN  
WALTER C. PEREZ

## IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

*To be lieutenant commander*

BETH A. HOFFMAN

THE FOLLOWING NAMED INDIVIDUALS FOR REGULAR APPOINTMENT TO THE GRADES INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 531:

*To be commander*

JOHN W. CHEATHAM  
DAVID R. GOFF

*To be lieutenant commander*

DARREN S. BEASLY  
JOHN E. BISSELL  
JAMES C. MEEHAN  
CHRISTIAN T. MINSHALL  
DOUGLAS G. NESS  
ERIC C. PETERSON  
ANNA A. ROSS  
NOBURO YAMAKI

THE FOLLOWING NAMED INDIVIDUALS FOR APPOINTMENT TO THE GRADES INDICATED IN THE REGULAR NAVY UNDER TITLE 10, U.S.C., SECTION 531:

*To be captain*

GREGORY M. SARACCO

*To be commander*

MARSHALL D. BEDDER  
CHRISTOPHER B. CHISHOLM  
HARRIS B. FEDERICK  
DENNIS M. WEPFNER

*To be lieutenant commander*

JARED D. BERNARD  
JOSEPH A. BUGLISI  
JUSTIN J. BURDICK  
MICHAEL A. BURT  
LESLEY A. DOSSETT  
WILLIAM C. FOX  
ANDREW J. FRIESEN  
JONATHAN S. GLASS  
CAVIN H. GLENN  
RYAN T. GOCKE  
JANET C. JACOBSON  
BRIAN J. KARLOVITS  
SCOTT T. KING  
BRIAN S. KNIPP  
JUAN G. LOPEZ  
KAREN L. MATTHEWS  
JOHN M. MONTMINY  
JOEL N. PETERSON  
JUNEWAIL L. REOMA  
DARIAN C. RICE  
MICHAEL D. SCHORR  
BRIAN W. SHIPPET  
CHARLES J. SIEGERT  
ASHER O. SMITH  
ROBERT B. SPENCER  
NICHOLAS A. SPINELLI  
DOUGLAS W. STORM  
GUS THEODOS  
IAN L. VALERIO  
EZEKIEL J. WETZEL  
PAUL R. WOMBLE  
WHITNEY B. YOU  
HEATHER G. YURKA  
LUKE A. ZABROCKI