

# Daily Digest

## Senate

### Chamber Action

*Routine Proceedings, pages S5397–S5457*

**Measures Introduced:** Nine bills and one resolution were introduced, as follows: S. 1027–1035, and S. Res. 148. **Page S5435**

#### Measures Reported:

S. 384, to authorize appropriations for fiscal years 2010 through 2014 to provide assistance to foreign countries to promote food security, to stimulate rural economies, and to improve emergency response to food crises, to amend the Foreign Assistance Act of 1961, with amendments. (S. Rept. No. 111–19)

S. Con. Res. 19, expressing the sense of Congress that the Shi'ite Personal Status Law in Afghanistan violates the fundamental human rights of women and should be repealed, with an amendment in the nature of a substitute and with an amended preamble. **Page S5435**

#### Measures Passed:

*Authorizing the Use of Emancipation Hall:* Senate agreed to H. Con. Res. 80, authorizing the use of Emancipation Hall in the Capitol Visitor Center for an event to celebrate the birthday of King Kamehameha. **Pages S5455–56**

*Cerebral Cavernous Malformations Research, Awareness, and Education:* Senate agreed to S. Res. 148, expressing the sense of the Senate that there is a critical need to increase research, awareness, and education about cerebral cavernous malformations. **Pages S5456–57**

#### Measures Considered:

**Credit Cardholders' Bill of Rights Act:** Senate continued consideration of H.R. 627, to amend the Truth in Lending Act to establish fair and transparent practices relating to the extension of credit under an open end consumer credit plan, taking action on the following amendments proposed thereto: **Pages S5409–29**

#### Adopted:

Isakson Amendment No. 1104 (to Amendment No. 1084), to require the Comptroller General to

conduct a study on the relationship between fluency in the English language and financial literacy. **Pages S5416–21**

Gillibrand Amendment No. 1084 (to Amendment No. 1058), to amend the Fair Credit Reporting Act to require reporting agencies to provide free credit reports in the native language of certain non-English speaking consumers. **Page S5409**

#### Rejected:

By 28 yeas to 65 yeas (Vote No. 190), Vitter Amendment No. 1066 (to Amendment No. 1058), to specify acceptable forms of identification for the opening of credit card accounts. **Pages S5409, S5421–23**

#### Pending:

Dodd/Shelby Amendment No. 1058, in the nature of a substitute. **Page S5409**

Landrieu Amendment No. 1079 (to Amendment No. 1058), to end abuse, promote disclosure, and provide protections to small businesses that rely on credit cards. **Pages S5425–26**

Collins/Lieberman Amendment No. 1107 (to Amendment No. 1058), to address criminal and fraudulent monetary transfers using stored value cards and other electronic devices. **Pages S5426–29**

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

By 33 yeas to 60 nays (Vote No. 191), three-fifths of those Senators duly chosen and sworn not having voted in the affirmative, Senate rejected a motion to waive section 302 (f) of the Congressional Budget Act of 1974 with respect to consideration of Sanders Modified Amendment No. 1062 (to Amendment No. 1058), to establish a national consumer credit usury rate. Subsequently, a point of order that the amendment was not germane to the provisions of the Budget Resolution was sustained, and the amendment thus fell. **Pages S5409, S5423**

By 59 yeas to 35 nays (Vote No. 192), three-fifths of those Senators duly chosen and sworn not having voted in the affirmative, Senate rejected a motion to waive section 305 of the Congressional Budget Act of 1974 with respect to consideration of McConnell (for Gregg) Amendment No. 1085 (to Amendment No. 1058), to enhance public knowledge regarding the national debt by requiring the publication of the facts about the national debt on IRS instructions,

Federal websites, and in new legislation. Subsequently, a point of order that the amendment was not germane to the provisions of the Budget Resolution was sustained, and the amendment thus fell.

Pages S5409, S5423–25

A motion was entered to close further debate on Dodd/Shelby Amendment No. 1058 and, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, a vote on cloture will occur on Friday, May 15, 2009.

Page S5426

A motion was entered to close further debate on the bill and, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, a vote on cloture will occur on Friday, May 15, 2009.

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A unanimous-consent agreement was reached providing for further consideration of the bill at approximately 10:30 a.m., on Thursday, May 14, 2009, and that all first-degree amendments be filed at the desk by 1 p.m., on Thursday, May 14, 2009.

Page S5457

**Hayes Nomination:** Senate resumed consideration of the nomination of David J. Hayes, of Virginia, to be Deputy Secretary of the Interior.

Pages S5399–S5409

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

By 57 yeas to 39 nays (Vote No. 189), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to close further debate on the nomination.

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Subsequently, Senator Reid entered a motion to reconsider the vote by which cloture was not invoked on the nomination of David J. Hayes, of Virginia, to be Deputy Secretary of the Interior.

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**Messages from the House:**

Pages S5432–33

**Measures Referred:**

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**Executive Communications:**

Pages S5433–35

**Executive Reports of Committees:**

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**Additional Cosponsors:**

Pages S5435–37

**Statements on Introduced Bills/Resolutions:**

Pages S5437–43

**Additional Statements:**

Pages S5431–32

**Amendments Submitted:**

Pages S5443–48

**Notices of Hearings/Meetings:**

Page S5448

**Authorities for Committees to Meet:**

Pages S5448–49

**Privileges of the Floor:**

Page S5449

**Record Votes:** Four record votes were taken today. (Total—192)

Pages S5407, S5423, S5424

**Adjournment:** Senate convened at 9:30 a.m. and adjourned at 6:19 p.m., until 9:30 a.m. on Thursday, May 14, 2009. (For Senate’s program, see the remarks of the Acting Majority Leader in today’s Record on page S5457.)

## Committee Meetings

(Committees not listed did not meet)

### DEPARTMENT OF LABOR BUDGET

*Committee on Appropriations:* Subcommittee on Labor, Health and Human Services, Education, and Related Agencies concluded a hearing to examine the President’s proposed budget request for fiscal year 2010 for the Department of Labor, after receiving testimony from Hilda L. Solis, Secretary of Labor.

### ENVIRONMENTAL PROTECTION AGENCY BUDGET

*Committee on Appropriations:* Subcommittee on Interior, Environment, and Related Agencies concluded a hearing to examine the President’s proposed budget request for fiscal year 2010 for the Environmental Protection Agency, after receiving testimony from Lisa P. Jackson, Administrator, Environmental Protection Agency.

### DEPARTMENT OF HOMELAND SECURITY BUDGET

*Committee on Appropriations:* Subcommittee on Homeland Security concluded a hearing to examine the President’s proposed budget request for fiscal year 2010 for the Department of Homeland Security, after receiving testimony from Janet Napolitano, Secretary of Homeland Security.

### MANUFACTURING AND THE CREDIT CRISIS

*Committee on Banking, Housing, and Urban Affairs:* Subcommittee on Economic Policy concluded a hearing to examine manufacturing and the credit crisis, after receiving testimony from Holly Hart, Steelworkers Union, and David Marchick, The Carlyle Group, both of Washington, D.C.; Eugene R. Haffely, Jr., Assembly and Test Worldwide, Inc., Dayton, Ohio, on behalf of the Association for Manufacturing Technology; Lieutenant General Lawrence P. Farrell, Jr., USAF (Ret.), National Defense Industrial Association, Alexandria, Virginia; and William E. Gaskin, Precision Metalforming Association, Independence, Ohio, on behalf of the National Tooling and Machining Association.

### NOMINATIONS

*Committee on Banking, Housing, and Urban Affairs:* Committee concluded a hearing to examine the

nominations of Peter M. Rogoff, of Virginia, to be Federal Transit Administrator, Department of Transportation, who was introduced by Senator Murray, Francisco J. Sanchez, of Florida, to be Under Secretary of Commerce for International Trade, who was introduced by Senators Nelson (FL) and Martinez, Raphael William Bostic, of California, to be Assistant Secretary for Policy Development and Research, who was introduced by Representative Schiff, Sandra Brooks Henriquez, of Massachusetts, to be Assistant Secretary for Public and Indian Housing, who was introduced by Representative Frank, and Mercedes Marquez, of California, to be Assistant Secretary for Community Planning and Development, all of the Department of Housing and Urban Development, and Michael S. Barr, of Michigan, to be Assistant Secretary of the Treasury for Financial Institutions, after the nominees testified and answered questions in their own behalf.

#### TOURISM IN TROUBLED TIMES

*Committee on Commerce, Science, and Transportation:* Subcommittee on Competitiveness, Innovation, and Export Promotion concluded a hearing to examine tourism in troubled times, focusing on the state of the U.S. travel and tourism industry, after receiving testimony from Senator Reid; Mary Saunders, Acting Assistant Secretary for Manufacturing and Services, International Trade Administration, Department of Commerce; Chad Prosser, South Carolina Department of Parks, Recreation, and Tourism, Columbia; Jay Rasulo, Walk Disney Parks and Resorts, Burbank, California; Jay S. Witzel, Carlson Hotels Worldwide, Minnetonka, Minnesota; Sam Gilliland, Sabre Holdings Corporation, South Lake, Texas; Rossi Ralenkotter, Las Vegas Convention and Visitors Authority, Las Vegas, Nevada; and Judy Zehnder, Bavarian Inn Lodge, Frankenmuth, Michigan.

#### FEDERAL AVIATION ADMINISTRATION REAUTHORIZATION

*Committee on Commerce, Science, and Transportation:* Subcommittee on Aviation Operations, Safety, and Security concluded a hearing to examine reauthorization of the Federal Aviation Administration (FAA), focusing on perspectives of aviation stakeholders, after receiving testimony from Charles M. Barclay, American Association of Airport Executives, Alexandria, Virginia; Marion C. Blakey, Aerospace Industries Association, Arlington, Virginia; James C. May, Air Transport Association of America, Inc., Ed Bolen, National Business Aviation Association, Patrick Forrey, National Air Traffic Controllers Association, John Prater, Air Line Pilots Association International, Ken Hall, International Brotherhood of Teamsters, Tom Brantley, Professional Aviation Safe-

ty Specialists, and William McGlashen, Association of Flight Attendants-CWA, AFL-CIO, all of Washington, D.C.; and Robert Roach, Jr., International Association of Machinists and Aerospace Workers, Upper Marlboro, Maryland.

#### BUSINESS MEETING

*Committee on Energy and Natural Resources:* Committee ordered favorably reported the nominations of Daniel B. Poneman, of Virginia, to be Deputy Secretary, David B. Sandalow, of the District of Columbia, to be Assistant Secretary for International Affairs and Domestic Policy, both of the Department of Energy, and Rhea S. Suh, of California, to be Assistant Secretary for Policy, Management and Budget, and Michael L. Connor, of Maryland, to be Commissioner of Reclamation, both of the Department of the Interior.

#### NOMINATIONS

*Committee on Foreign Relations:* Committee concluded a hearing to examine the nominations of Philip J. Crowley, of Virginia, to be Assistant Secretary for Public Affairs, who was introduced by Representative Moran, and Judith A. McHale, of Maryland, to be Under Secretary for Public Diplomacy, who was introduced by Representative Van Hollen, both of the Department of State, after the nominees testified and answered questions in their own behalf.

#### NOMINATIONS

*Committee on Foreign Relations:* Committee concluded a hearing to examine the nominations of Daniel Benjamin, of the District of Columbia, to be Coordinator for Counterterrorism, with the rank and status of Ambassador at Large, and Bonnie D. Jenkins, of New York, for the rank of Ambassador during her tenure of service as Coordinator for Threat Reduction Programs, after the nominees testified and answered questions in their own behalf.

#### VIOLENCE AGAINST WOMEN IN CONFLICT ZONES

*Committee on Foreign Relations:* Subcommittee on African Affairs concluded a joint hearing with Subcommittee on International Operations and Organizations, Human Rights, Democracy and Global Women's Issues to examine confronting rape and other forms of violence against women in conflict zones, after receiving testimony from Melanne Vermeer, Ambassador-at-Large for Global Women's Issues, Esther Brimmer, Assistant Secretary for International Organization Affairs, and Phillip Carter, Acting Assistant Secretary of the Bureau of African Affairs, all of the Department of State; Chouchou Namegabe, South Kivu Women's Media Association, Democratic Republic of Congo; Robert Warwick,

International Rescue Committee, Baltimore, Maryland; Niemat Ahmadi, Save Darfur Coalition, and John Prendergast, The Enough Project, both of Washington, D.C.; and Eve Ensler, New York, New York.

#### D.C. OPPORTUNITY SCHOLARSHIP PROGRAM

*Committee on Homeland Security and Governmental Affairs:* Committee concluded a hearing to examine the D.C. Opportunity Scholarship Program, focusing on preserving school choice for all, after receiving testimony from Anthony A. Williams, former Mayor of the District of Columbia, on behalf of DC Children First, Bruce B. Stewart, Sidwell Friends School, Latasha Bennett, Tiffany Dunston, and Ronald Holassie, all of Washington, D.C.; and Patrick J. Wolf, University of Arkansas College of Education and Health Professions, Fayetteville.

#### NOMINATIONS

*Committee on Homeland Security and Governmental Affairs:* Committee concluded a hearing to examine the nominations of Florence Y. Pan, of the District of Columbia, who was introduced by Representative Gonzalez, and Marisa J. Demeo, of the District of Columbia, who was introduced by Senator Bingaman, both to be an Associate Judge of the Superior Court of the District of Columbia, and David Heyman, of the District of Columbia, to be Assistant Secretary of Homeland Security

#### BUSINESS MEETING

*Committee on Health, Education, Labor, and Pensions:* Committee ordered favorably reported the nomination of Margaret A. Hamburg, of the District of Columbia, to be Commissioner of Food and Drugs, Department of Health and Human Services.

#### TORTURE

*Committee on the Judiciary:* Subcommittee on Administrative Oversight and the Courts concluded a hear-

ing to examine torture and the Office of Legal Counsel in the Bush Administration, after receiving testimony from Philip Zelikow, University of Virginia, and Robert F. Turner, University of Virginia Law School Center for National Security Law, both of Charlottesville; Ali Soufan, Soufan Group, LLC, New York, New York; David Luban, Georgetown University Law Center, Hyattsville, Maryland; and Jeffrey F. Addicott, St. Mary's University School of Law Center for Terrorism Law, San Antonio, Texas.

#### MILITARY AND OVERSEAS VOTERS

*Committee on Rules and Administration:* Committee concluded a hearing to examine problems for military and overseas voters, focusing on why many soldiers and their families cannot vote, after receiving testimony from Gail H. McGinn, Acting Undersecretary of Defense for Personnel and Readiness; Donald Palmer, Director, Division of Elections, Florida Department of State, Tallahassee; Bob Carey, National Defense Committee, Alexandria, Virginia; Patricia M. Hollarn, Shalimar, Florida; Joseph L. DeCaro, Hurlburt Field, Florida; and Eric Eversole, Washington, D.C.

#### SMALL BUSINESS FINANCING

*Committee on Small Business and Entrepreneurship:* Committee concluded a hearing to examine small business financing, focusing on a progress report on Recovery Act implementation and alternative sources of financing, after receiving testimony from Karen G. Mills, Administrator, Small Business Administration; Susan Sobott, American Express OPEN, Washington, D.C.; Marianne Garvin, Community Development Corporation of Long Island, Centereach, New York; Bill Bynum, Enterprise Corporation of the Delta and Hope Community Credit Union, Jackson, Mississippi; and Stephen H. Watkins, Entrex Inc., Chicago, Illinois.

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## House of Representatives

### *Chamber Action*

**Public Bills and Resolutions Introduced:** 25 public bills, H.R. 2378–2402; and 6 resolutions, H. Con. Res. 125–126; and H.Res. 432–433, 435–436 were introduced. **Pages H5580–81**

**Additional Cosponsors:** **Pages H5581–82**

**Report Filed:** A report was filed today as follows:

H. Res. 434, providing for consideration of the bill (H.R. 2346) making supplemental appropriations for the fiscal year ending September 30, 2009 (H. Rept. 111–107). **Page H5580**

**Speaker:** Read a letter from the Speaker wherein she appointed Representative Salazar to act as Speaker Pro Tempore for today. **Page H5489**

**Chaplain:** The prayer was offered by the Guest Chaplain, Reverend Charles E. Smith, Berea Baptist Church, Forest Hill, Texas. **Page H5489**

**Suspensions—Proceedings Resumed:** The House agreed to suspend the rules and pass the following measures which were debated on Tuesday, May 12th:

*Supporting the goals and objectives of a National Military Appreciation Month:* H. Con. Res. 84, to support the goals and objectives of a National Military Appreciation Month, by a  $\frac{2}{3}$  yeas-and-nays vote of 421 yeas with none voting “nay”, Roll No. 247; **Pages H5498–99**

*Herbert A Littleton Postal Station Designation Act:* H.R. 2162, to designate the facility of the United States Postal Service located at 123 11th Avenue South in Nampa, Idaho, as the “Herbert A Littleton Postal Station”, by a  $\frac{2}{3}$  recorded vote of 420 yeas with none voting “no”, Roll No. 248; and **Pages H5499–H5500**

*Congratulating the American Dental Association for its 150th year:* H. Res. 204, to congratulate the American Dental Association for its 150th year of working to improve the public’s oral health and promoting dentistry, supporting initiatives to improve access to oral health care services for all Americans, and emphasizing the benefits of prevention of disease through support of community prevention initiatives and promotion of good oral hygiene, by a  $\frac{2}{3}$  recorded vote of 424 yeas with none voting “no”, Roll No. 253. **Page H5549**

**21st Century Green High-Performing Public School Facilities Act:** The House began consideration of H.R. 2187, to direct the Secretary of Education to make grants to State educational agencies for the modernization, renovation, or repair of public school facilities. Further proceedings were postponed. **Pages H5492–98, H5500**

Pursuant to the rule, the amendment in the nature of a substitute recommended by the Committee on Education and Labor now printed in the bill shall be considered as an original bill for the purpose of amendment under the 5-minute rule. **Page H5507**

Agreed to:

George Miller (CA) amendment (No. 1 printed in H. Rept. 111–106) that replaces the bill’s provision regarding charter schools (section 308) with a new provision that makes technical corrections and clarifies the disposition of excess funds. Expands the allowable uses of funds to include repairing, replacing, and installing water supply and building envelopes. Adds a new section to Title I of the bill giving priority consideration to schools that would use funding to remove asbestos, polychlorinated biphenyls, mold, mildew, lead-based hazards, or a proven carcinogen.

Increases the set-aside for tribal and outlying schools from 1% to 2%; **Pages H5509–10**

McKeon amendment (No. 2 printed in H. Rept. 111–106) that requires states to be in compliance with the public school choice, supplemental education services, private school participation, and military recruiters provisions of the Elementary and Secondary Education Act to be eligible to receive funding under the bill; **Pages H5510–11**

McKeon amendment (No. 6 printed in H. Rept. 111–106) that prohibits funds appropriated under the bill to be used for congressional earmarks as defined by clause 9(d) of rule XXI of the Rules of the House of Representatives; **Pages H5513–14**

Reichert amendment (No. 8 printed in H. Rept. 111–106) that allows funds to be used to install or upgrade technology to ensure schools are able to respond to emergencies such as acts of terrorism, campus violence, and natural disasters; **Page H5515**

Maffei amendment (No. 9 printed in H. Rept. 111–106) that requires the Education Secretary, in consultation with the Labor Secretary, to work with funding recipients to promote opportunities for individuals enrolled in Job Corps to gain employment experience on modernization, repair, and construction projects funded under the Act. Requires the Secretary of Education, in consultation with the Secretary of Labor, to work with recipients of funds to promote appropriate opportunities for individuals enrolled in a junior or community college; **Pages H5515–16**

Heinrich amendment (No. 12 printed in H. Rept. 111–106) that allows funds to be used to install and upgrade recreational structures and physical education facilities; **Pages H5518–19**

Schwartz amendment (No. 13 printed in H. Rept. 111–106) that permits funds to be used for constructing greenhouses, gardens (including trees), and other facilities for environmental, scientific, or other educational purposes, or to produce energy savings; **Pages H5519–20**

Schrader amendment (No. 14 printed in H. Rept. 111–106) that requires the GAO to conduct a study within one year of enactment on the extent and types of projects in keeping with the uses of funds authorized, the geographic distribution of green, high-performing schools (including by urban, suburban, and rural areas), and the relative access to such schools of the demographic groups described in section 1111(b)(2)(C)(v) of the Elementary and Secondary Education Act of 1965. These groups include: economically disadvantaged students, students from major racial and ethnic groups, students with disabilities, and students with limited English proficiency; **Pages H5520–21**

Titus amendment (No. 3 printed in H. Rept. 111–106) that adds a new section 314 requiring the Secretary of Education to establish an Advisory Council to the Secretary on green, high-performing schools. The Council will advise the Secretary on the impact of green, high-performing schools on teaching and learning, health energy costs and environmental impact; work with the Secretary to recommend Federal policies to increase the number of green, high-performing schools; provide technical assistance to states; and identify Federal policies that are barriers to helping states make schools green and high-performing. The Council will consult with the Chair of the Council on Environmental Quality, the Commerce Secretary, Energy Secretary, Health and Human Services Secretary, Labor Secretary, EPA Administrator, and the GSA Administrator (by a recorded vote of 270 ayes to 160 noes, Roll No. 249);

**Pages H5511–12, H5521**

Roe (TN) amendment (No. 4 printed in H. Rept. 111–106) that adds a new section 314 requiring the Education Secretary to enter into an agreement with the Department's Institute of Educational Sciences to evaluate the impact of projects funded under the bill on student academic achievement, including a comparison of students attending public schools receiving funding under the bill with students attending public schools that are not receiving such funding (by a recorded vote of 432 ayes to 2 noes, Roll No. 250); and

**Pages H5512–13, H5521–22**

Ellsworth amendment (No. 5 printed in H. Rept. 111–106) that amends section 309 (green schools) to provide that nothing in the bill shall be construed to prohibit a local educational agency from using sustainable, domestic hardwood lumber for public school modernization, renovation, repairs, or construction. Amends section 310 (reporting) to require agencies receiving grant funds under the bill to disclose whether any flooring installed was from renewable sources (by a recorded vote of 425 ayes to 7 noes, Roll No. 251).

**Pages H5513, H5523–24**

Proceedings Postponed:

Giffords amendment (No. 7 printed in H. Rept. 111–106) that seeks to specify that local educational agencies receiving funds under the act may encourage schools receiving funds for projects to educate students about those projects, including how they function, and their environmental, energy, sustainability, and other benefits;

**Pages H5514–15**

Bright amendment (No. 10 printed in H. Rept. 111–106) that seeks to require the Secretary to reserve 5 percent of section 102 grant funds for grants to local educational agencies serving geographic areas with significant economic distress or recovering from a natural disaster; and

**Pages H5516–17**

Griffith amendment (No. 11 printed in H. Rept. 111–106) that seeks to include reducing the incidence and effects of asthma and other respiratory illnesses in children among the voluntary guidelines for high performing school buildings. It also will add reducing the incidence and effects of asthma and other respiratory illnesses to the list of demonstrable and expected benefits. The amendment includes the reduction and elimination of human exposure to airborne particles such as dust, sand, and pollens among the approved uses for grant funds used by local educational agencies.

**Pages H5517–18**

H. Res. 427, the rule providing for consideration of the bill, was agreed to by a yea-and-nay vote of 248 yeas to 175 nays, Roll No. 246, after agreeing to order the previous question without objection.

**Pages H5492–98**

**Suspension:** The House agreed to suspend the rules and agree to the following measure:

*Providing for passage of the bill (H.R. 2101) to promote reform and independence in the oversight of weapons system acquisition by the Department of Defense:* H. Res. 432, to provide for passage of the bill (H.R. 2101) to promote reform and independence in the oversight of weapons system acquisition by the Department of Defense, by a  $\frac{2}{3}$  yea-and-nay vote of 428 yeas with none voting “nay”, Roll No. 252.

**Pages H5524–30, H5538–39**

The Chair announced that pursuant to H. Res. 432, H.R. 2101, as amended by the amendment in the nature of a substitute printed in the bill, is considered as passed; S. 454, as amended by the text of H.R. 2101 as passed by the House, is considered as passed; and the House is considered to have insisted on its amendment and requested a conference with the Senate thereon. H.R. 2101 was laid upon the table without objection.

**Page H5539**

The Chair appointed the following conferees: Representatives Skelton, Spratt, Ortiz, Taylor, Abercrombie, Reyes, Snyder, Smith (WA), Loretta Sanchez (CA), McIntyre, Tauscher, Brady (PA), Andrews, Davis (CA), Langevin, Cooper, Ellsworth, Sestak, McHugh, Bartlett, McKeon, Thornberry, Jones, Akin, Forbes, Miller (FL), Wilson (SC), Conaway, Hunter, and Coffman (CO).

**Pages H5549–50**

Agreed to authorize conferees to close meetings of the conference when sensitive national security information may be broached by a yea-and-nay vote of 409 yeas to 11 nays, Roll No. 254.

**Page H5550**

**Suspensions—Proceedings Postponed:** The House debated the following measures under suspension of the rules. Further proceedings were postponed:

*Recognizing Armed Forces Day and the exemplary service of the members of the United States Armed Forces:* H. Res. 377, to recognize Armed

Forces Day and the exemplary service of the members of the United States Armed Forces;

Pages H5530–31

*Medal of Honor Commemorative Coin Act of 2009*: H.R. 1209, to require the Secretary of the Treasury to mint coins in recognition and celebration of the establishment of the Medal of Honor in 1861, America's highest award for valor in action against an enemy force which can be bestowed upon an individual serving in the Armed Services of the United States, to honor the American military men and women who have been recipients of the Medal of Honor, and to promote awareness of what the Medal of Honor represents and how ordinary Americans, through courage, sacrifice, selfless service and patriotism, can challenge fate and change the course of history; and

Pages H5531–34

*Granting the congressional gold medal, collectively, to the 100th Infantry Battalion and the 442nd Regimental Combat Team, United States Army, in recognition of their dedicated service during World War II*: H.R. 347, to grant the congressional gold medal, collectively, to the 100th Infantry Battalion and the 442nd Regimental Combat Team, United States Army, in recognition of their dedicated service during World War II.

Pages H5534–38

**Board of Trustees of the Institute of American Indian and Alaska Native Culture and Arts Development—Appointment**: The Chair announced the Speaker's appointment of the following Member of the House of Representatives to the Board of Trustees of the Institute of American Indian and Alaska Native Culture and Arts Development: Representative Luján.

Page H5550

**Senate Message**: Message received from the Senate today appears on pages H5489, H5577.

**Quorum Calls—Votes**: Four yea-and-nay votes and five recorded votes developed during the proceedings of today and appear on pages H5498, H5499, H5499–H5500, H5521, H5522, H5523, H5538–39, H5549, H5550. There were no quorum calls.

**Adjournment**: The House met at 10 a.m. and adjourned at 9:42 p.m.

## Committee Meetings

### AGRICULTURE, RURAL DEVELOPMENT, FDA, AND RELATED AGENCIES APPROPRIATIONS

*Committee on Appropriations*: Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies held a hearing on the

Secretary of Agriculture. Testimony was heard from Tom Vilsack, Secretary of Agriculture.

### INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS

*Committee on Appropriations*: Subcommittee on Interior, Environment and Related Agencies held a hearing on the Secretary of the Interior. Testimony was heard from Ken Salazar, Secretary of the Interior.

### MILITARY CONSTRUCTION, VETERANS AFFAIRS AND RELATED AGENCIES APPROPRIATIONS

*Committee on Appropriations*: Subcommittee on Military Construction, Veterans Affairs, and Related Agencies held a hearing on Secretary of Veterans Affairs. Testimony was heard from Eric Shinseki, Secretary of Veterans Affairs.

### STATE, FOREIGN OPERATIONS, AND RELATED PROGRAMS APPROPRIATIONS

*Committee on Appropriations*: Subcommittee on State, Foreign Operations, and Related Programs held a hearing on the State Department. Testimony was heard from Jack Lew, Deputy Secretary, Management and Resources, Department of State.

### DEFENSE BUDGET

*Committee on Armed Services*: Held a hearing on the Fiscal Year 2010 National Defense Authorization Budget Request from the Department of Defense. Testimony was heard from the following officials of the Department of Defense: Robert M. Gates, Secretary; and ADM Michael G. Mullen, USN, Chairman, Joint Chiefs of Staff.

### ENERGY DEPARTMENT NATIONAL SECURITY BUDGET

*Committee on Armed Services*: Subcommittee on Strategic Forces held a hearing on the Fiscal Year 2010 National Defense Authorization Budget Request for the Department of Energy national security programs. Testimony was heard from the following officials of the Department of Energy: Thomas P. D'Agostino, Administrator, National Nuclear Security Administration; Ines R. Triay, Assistant Secretary, Environmental Management (Acting); and Glenn S. Podonsky, Chief, Health, Safety, and Security Officer.

### PREVENTING FORECLOSURES

*Committee on Financial Services*: Subcommittee on Housing and Community Opportunity held a hearing entitled "The Role of NeighborWorks and Housing Counseling Intermediaries in Prevention of Foreclosures." Testimony was heard from public witnesses.

## LOW INCOME COUNTRIES/GLOBAL ECONOMY

*Committee on Financial Services:* Subcommittee on International Monetary Policy and Trade held a hearing entitled “Implications of the G–20 Leaders Summit for Low Income Countries and the Global Economy.” Testimony was heard from public witnesses.

## INTERNATIONAL AFFAIRS BUDGET

*Committee on Foreign Affairs:* Held a hearing on Building Capacity to Protect U.S. National Security: The Fiscal Year 2010 International Affairs Budget. Testimony was heard from Jacob J. Lew, Deputy Secretary, Management and Resources, Department of State.

## HOMELAND SECURITY BUDGET

*Committee on Homeland Security:* Held a hearing entitled “The President’s FY 2010 Budget Request for the Department of Homeland Security.” Testimony was heard from Janet Napolitano, Secretary of Homeland Security.

## MISCELLANEOUS MEASURES

*Committee on the Judiciary:* Ordered reported the following bills: H.R. 848, amended, Performance Rights Act; and H.R. 2344, Webster Settlement Act of 2009.

The Committee began consideration of the following bills: H.R. 1741, Witness Security and Protection Grant Program Act of 2009; and H.R. 2247, Congressional Review Act Improvement Act.

The Committee also approved pending Committee business, including a resolution expanding the responsibilities of the impeachment task force to conduct an inquiry into whether U.S. District Judge Samuel B. Kent should be impeached.

## STRENGTHENING FORENSIC SCIENCE

*Committee on the Judiciary:* Subcommittee on Crime, Terrorism, and Homeland Security held a hearing on the National Research Council’s publication “Strengthening Forensic Science in the United States: A Path Forward.” Testimony was heard from Kenneth Melson, Acting Director, Bureau of Alcohol, Tobacco, Firearms and Explosives and former Director, Executive Office for the U.S. Attorneys, Department of Justice; Pete Marone, Director, Department of Forensic Science, State of Virginia; and public witnesses.

## MIGRATORY BIRD CONSERVATION MEASURES

*Committee on Natural Resources:* Subcommittee on Insular Affairs, Oceans and Wildlife held a hearing on the following bills: H.R. 1916, Migratory Bird Habitat Investment and Enhancement Act; H.R.

2062, Migratory Bird Treaty Act Penalty and Enforcement Act of 2009; and H.R. 2188, Joint Ventures for Bird Habitat Conservation Act of 2009. Testimony was heard from Representative Dingell; Paul Schmidt, Assistant Director, Migratory Birds, U.S. Fish and Wildlife Service, Department of the Interior; Kristin Saunders Evans, Assistant Secretary, Land Resources, Department of Natural Resources, State of Maryland; and public witnesses.

## AIG COLLAPSE AND RESCUE

*Committee on Oversight and Government Reform:* Held a hearing on AIG: Where is the Taxpayer’s Money Going? Testimony was heard from public witnesses.

## SUPPLEMENTAL APPROPRIATIONS

*Committee on Rules:* Granted, by a non-record vote, a rule providing for consideration of H.R. 2346, the Supplemental Appropriations Act, 2009. The rule provides for one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Appropriations.

The rule waives all points of order against consideration of the bill except those arising under clause 9 or 10 of rule XXI. The rule provides that the amendment printed in the Rules Committee report shall be considered as adopted. The rule provides that the bill, as amended, shall be considered as read. The rule waives all points of order against provisions in the bill, as amended. Finally, the rule provides one motion to recommit the bill with or without instructions. Testimony was heard from Chairman Obey and Representatives Kaptur, Doggett, Hinojosa, Cuellar, Lewis of California and Wolf.

## NATIONAL CLIMATE SERVICE ACT

*Committee on Science and Technology:* Subcommittee on Energy and Environment approved for full Committee action, as amended, the National Climate Service Act of 2009.

## JOB CREATION THROUGH ENTREPRENEURSHIP ACT OF 2009; AUTO INDUSTRY SMALL SUPPLIERS MANUFACTURERS

*Committee on Small Business:* Ordered reported, as amended, H.R. 2352, Job Creation Through Entrepreneurship Act of 2009.

The Committee also held a hearing entitled “The Role of Small Business Suppliers and Manufacturers in the Domestic Auto Industry.” Testimony was heard from public witnesses.

## CIVIL RESERVE AIR FLEET'S ECONOMIC VISIBILITY

*Committee on Transportation and Infrastructure:* Subcommittee on Aviation held a hearing on the Economic Viability of the Civil Reserve Air Fleet, (CRAF) Program. Testimony was heard from GEN Duncan J. McNabb, USAF, Commander, U.S. Transportation Command, Scott Air Force Base, Department of Defense; and public witnesses.

## COAST GUARD/MARITIME BUDGET

*Committee on Transportation and Infrastructure:* Subcommittee on Coast Guard and Maritime Transportation held a hearing on Fiscal Year 2010 Budget Requests of the Coast Guard, Maritime Administration, and the Federal Maritime Commission. Testimony was heard from the following officials of the U.S. Coast Guard, Department of Homeland Security: ADM Thad Allen, USCG, Commandant; and Master Chief Petty Officer, Charles Bowen, USCG; David J. Rivait, Associate Administrator, Budget and Programs, and Chief Financial Officer, Maritime Administration, Department of Transportation; and the following Commissioners of the Federal Maritime Commission: Joseph E. Brennan; Harold J. Creel, Jr., and Rebecca F. Dye.

## INNOVATIVE HEALTH TECHNOLOGIES/TREATMENTS HELPING VETERANS

*Committee on Veterans' Affairs:* Held a hearing on Innovative Technologies and Treatments Helping Veterans. Testimony was heard from public witnesses.

## BRIEFING—INTELLIGENCE COMMUNITY DIVERSITY REPORT

*Permanent Select Committee on Intelligence:* Met in executive session to receive a briefing on Intelligence Community Diversity Report. The Committee was briefed by Patricia T. Taylor, Director, Equal Employment Opportunity and Diversity Office, Office of the Director of National Intelligence.

## Joint Meetings

No joint committee meetings were held.

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## NEW PUBLIC LAWS

(For last listing of Public Laws, see DAILY DIGEST, p. D530)

H.R. 586, to direct the Librarian of Congress and the Secretary of the Smithsonian Institution to carry out a joint project at the Library of Congress and the National Museum of African American History and Culture to collect video and audio recordings of personal histories and testimonials of individuals who participated in the Civil Rights movement. Signed on May 12, 2009. (Public Law 111-19)

## COMMITTEE MEETINGS FOR THURSDAY, MAY 14, 2009

(Committee meetings are open unless otherwise indicated)

### Senate

*Committee on Appropriations:* Subcommittee on Defense, to hold hearings to examine the proposed budget request for fiscal year 2010 for national intelligence program and military intelligence program, 10:30 a.m., SVC-217.

Full Committee, business meeting to mark up proposed budget request for fiscal year 2009 supplemental for Iraq, Afghanistan, Pakistan, and the pandemic flu, 2 p.m., SD-106.

*Committee on Armed Services:* to hold hearings to examine proposed defense authorization request for fiscal year 2010 for the Future Years Defense Program, 9:30 a.m., SD-106.

*Committee on Energy and Natural Resources:* to hold hearings to examine S. 1013, the Department of Energy Carbon Capture and Sequestration Program Amendments Act of 2009; to be followed by a business meeting, 2:30 p.m., SD-366.

*Committee on Environment and Public Works:* business meeting to consider S. 1005, to amend the Federal Water Pollution Control Act and the Safe Drinking Water Act to improve water and wastewater infrastructure in the United States, S. 849, to require the Administrator of the Environmental Protection Agency to conduct a study on black carbon emissions, H.R. 80, to amend the Lacey Act Amendments of 1981 to treat nonhuman primates as prohibited wildlife species under that Act, to make corrections in the provisions relating to captive wildlife offenses under that Act, H.R. 388, to assist in the conservation of cranes by supporting and providing, through projects of persons and organizations with expertise in crane conservation, financial resources for the conservation programs of countries the activities of which directly or indirectly affect cranes and the ecosystems of cranes, S. 529, to assist in the conservation of rare felids and rare canids by supporting and providing financial resources for the conservation programs of countries within the range of rare felid and rare canid populations and projects of persons with demonstrated expertise in the conservation of rare felid and rare canid populations, H.R. 813, to designate the Federal building and United States courthouse located at 306 East Main Street in Elizabeth City, North Carolina, as the "J. Herbert W. Small Federal Building and United States Courthouse", H.R. 837, to designate the Federal building located at 799 United Nations Plaza in New York, New York, as the "Ronald H. Brown United States Mission to the United Nations Building"; and Army Corps of Engineers Study Resolution: Miles City and Vicinity, Montana, 10 a.m., SD-406.

*Committee on Finance:* to hold a closed meeting to examine expanding health care coverage, 10 a.m., SD-215.

*Committee on Foreign Relations:* to hold hearings to examine the nominations of Jeffrey D. Feltman, of Ohio, to be Assistant Secretary for Near Eastern Affairs, and Robert Orris Blake, Jr., of Maryland, to be Assistant Secretary for South Asian Affairs, both of the Department of State, 9:45 a.m., SD-419.

Full Committee, to hold hearings to examine the Middle East, focusing on the road to peace, 2 p.m., SD-419.

*Committee on Health, Education, Labor, and Pensions:* to hold hearings to examine delivery reform, focusing on the roles of primary and specialty care in innovative new delivery models, 10 a.m., SD-430.

*Committee on Indian Affairs:* business meeting to consider the nomination of Larry J. Echo Hawk, of Utah, to be Assistant Secretary of the Interior for Indian Affairs, 10:30 a.m., SD-628.

*Select Committee on Intelligence:* to hold closed hearings to examine certain intelligence matters, 3:30 p.m., S-407, Capitol.

### House

*Committee on Agriculture,* Subcommittee on Horticulture and Organic Agriculture, hearing to review food safety standards for horticulture and organic agriculture, 10 a.m., 1399 Longworth.

*Committee on Appropriations,* Subcommittee on Financial Services, General Government and Related Agencies, on District of Columbia, 9:15 a.m., 2362-A Rayburn.

Subcommittee on Interior and Environment, and Related Agencies, on National Park Service, 9 a.m., B-308 Rayburn.

*Committee on Armed Services,* hearing on the Fiscal Year 2010 National Defense Authorization Budget Request from the Department of the Navy, 10 a.m., and a hearing on the Fiscal Year 2010 National Defense Authorization Budget Request from the Department of the Army, 2:30 p.m., 2118 Rayburn.

*Committee on Education and Labor,* Subcommittee on Health, Families and Communities, hearing on Improving Child Nutrition Programs to Reduce Childhood Obesity, 10 a.m., 2175 Rayburn.

*Committee on Financial Services,* Subcommittee on Capital Markets, Insurance, and Government Sponsored Enterprises, hearing entitled "How Should the Federal Government Oversee Insurance?" 10 a.m., 2128 Rayburn.

*Committee on Foreign Affairs,* Subcommittee on Europe, hearing on The United States and Turkey: A Model Partnership, 10:30 a.m., 2172 Rayburn.

*Committee on Homeland Security,* to mark up H.R. 2200, Transportation Security Administration Authorization Act, 10 a.m., 311 Cannon.

*Committee on the Judiciary,* oversight hearing on the Department of Justice, 10 a.m., 2141 Rayburn.

*Committee on Natural Resources,* Subcommittee on National Parks, Forests and Public Lands, hearing on the following bills: H.R. 129, To authorize the conveyance of certain National Forest System lands in the Los Padres National Forest in California; H.R. 762, To validate final patent number 27-2005-0081, and for other purposes;

H.R. 865, To convey the New River State Park campground located in Mount Rodgers National Recreation Area in the Jefferson National Forest in Carroll County, Virginia, to the Commonwealth of Virginia, and for other purposes; H.R. 1442, To provide for the sale of the Federal Government's reversionary interest in approximately 60 acres of land in Salt Lake City, Utah, originally conveyed to the Mount Olivet Cemetery Association under the Act of January 23, 1909; H.R. 1471, To expand the boundary of the Jimmy Carter National Historic Site in the State of Georgia, to redesignate the unit as a National Historical Park, and for other purposes; and H.R. 1641, Cascadia Marine Trail Study Act, 10 a.m., 1324 Longworth.

Subcommittee on Water and Power, hearing on H.R. 2008, Bonneville Unit Clean Hydropower Facilitation Act, 10 a.m., 1334 Longworth.

*Committee on Oversight and Government Reform,* hearing entitled "Protecting the Public from Waste, Fraud, and Abuse: H.R. 1507, Whistleblower Protection Enhancement Act of 2009," 10 a.m., 2154 Rayburn.

Subcommittee on Federal Workforce, Postal Service and the District of Columbia, hearing entitled "Protecting the Protectors: An Assessment of Front-line Federal Workers in Response to the H1N1 Flu," 2 p.m., 2154 Rayburn.

*Committee on Science and Technology,* hearing on An Overview of the Federal R&D Budget for Fiscal Year 2010, 2 p.m., 2318 Rayburn.

*Committee on Small Business,* hearing entitled "The Consumer Product Safety Improvement Act and Small Business," 10 a.m., 2360 Rayburn.

*Committee on Transportation and Infrastructure,* hearing on An Independent FEMA: Restoring the Nation's Capabilities for Effective Emergency Management and Disaster Response, 11 a.m., 2167 Rayburn.

Subcommittee on Railroads, Pipelines, and Hazardous Materials, hearing on Reauthorization of the Department of Transportation's Hazardous Materials Safety Program, 2 p.m., 2167 Rayburn.

*Committee on Veterans' Affairs,* Subcommittee on Disability Assistance and Memorial Affairs, hearing on Examining Appellate Processes and Their Impacts on Veterans, 10 a.m., 334 Cannon.

Subcommittee on Economic Opportunity, hearing on Federal Contract Compliance, 1:30 p.m., 334 Cannon.

*Committee on Ways and Means,* Subcommittee on Trade, hearing on Investment Protections in U.S. Trade and Investment Agreements, 10 a.m., 1100 Longworth.

*Permanent Select Committee on Intelligence,* executive, briefing on Intelligence Support in Afghanistan, 4 p.m., 304 HVC.

Next Meeting of the SENATE

9:30 a.m., Thursday, May 14

Next Meeting of the HOUSE OF REPRESENTATIVES

10 a.m., Thursday, May 14

Senate Chamber

**Program for Thursday:** After the transaction of any morning business (not to extend beyond one hour), Senate will continue consideration of H.R. 627, Credit Cardholders' Bill of Rights Act.

House Chamber

**Program for Thursday:** Complete consideration of H.R. 2187—21st Century Green High-Performing Public School Facilities Act. Consideration of H.R. 2346—Supplemental Appropriations Act, 2009 (Subject to a Rule).

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