

Daily Digest

HIGHLIGHTS

Senate passed H.R. 2346, Supplemental Appropriations Act.

Senate agreed to H. Con. Res. 133, Adjournment Resolution.

Senate

Chamber Action

Routine Proceedings, pages S5767–S5889

Measures Introduced: Forty-five bills and ten resolutions were introduced, as follows: S. 1115–1159, S. Res. 155–163, and S. Con. Res. 24. **Pages S5818–20**

Measures Passed:

Supplemental Appropriations Act: By 86 yeas to 3 nays (Vote No. 202), Senate passed H.R. 2346, making supplemental appropriations for the fiscal year ending September 30, 2009, as amended, after taking action on the following amendments proposed thereto: **Pages S5770–S5804**

Adopted:

Leahy/Kerry Amendment No. 1191, to provide for consultation and reports to Congress regarding the International Monetary Fund. **Pages S5771, S5798**

Brown Modified Amendment No. 1161, to require the United States Executive Director of the International Monetary Fund to oppose loans and other programs of the Fund that do not exempt certain spending by the governments of heavily indebted poor countries from certain budget caps and restraints. **Pages S5771, S5799**

Corker Modified Amendment No. 1173, to provide for the development of objectives for the United States with respect to Afghanistan and Pakistan. **Pages S5770, S5799**

Kaufman Modified Amendment No. 1179, to ensure that civilian personnel assigned to serve in Afghanistan receive civilian-military coordination training that focuses on counterinsurgency and stability operations. **Page S5771**

McCain Modified Amendment No. 1188, to make available from funds appropriated by title XI an additional \$42,500,000 for assistance for Georgia. **Pages S5771, S5799**

Graham (for Lieberman) Modified Amendment No. 1157, to provide that certain photographic

records relating to the treatment of any individual engaged, captured, or detained after September 11, 2001, by the Armed Forces of the United States in operations outside the United States shall not be subject to disclosure under section 552 of title 5, United States Code (commonly referred to as the Freedom of Information Act). **Pages S5770–71, S5799**

Lincoln Modified Amendment No. 1181, to amend the Federal Deposit Insurance Act with respect to the extension of certain limitations. **Page S5771**

Reid (for Hutchison) Modified Amendment No. 1176, to help communities impacted by Hurricane Ike. **Page S5799**

Rejected:

By 30 yeas to 64 nays (Vote No. 201), Merkley (for DeMint) Amendment No. 1138, to strike the provisions relating to increased funding for the International Monetary Fund. **Pages S5771, S5782–87**

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

By 94 yeas to 1 nay (Vote No. 200), three-fifths of those Senators duly chosen and sworn, having voted in the affirmative, Senate agreed to the motion to close further debate on the bill. **Page S5771**

Chair sustained a point of order that the following amendments were not germane post-cloture, and the amendments thus fell:

Bennet/Casey Amendment No. 1167, to require the exclusion of combat pay from income for purposes of determining eligibility for child nutrition programs and the special supplemental nutrition program for women, infants, and children. **Page S5771**

Reid Amendment No. 1201 (to Amendment No. 1167), to change the enactment date. **Page S5771**

Hutchison Amendment No. 1189, to protect auto dealers. **Pages S5771, S5780–81, S5788–90**

Risch Amendment No. 1143, to appropriate, with an offset, an additional \$2,000,000,000 for National Guard and Reserve Equipment. **Page S5771**

Kyl/Lieberman Amendment No. 1147, to prohibit funds made available for the Strategic Petroleum Reserve to be made available to any person that has engaged in certain activities with respect to the Islamic Republic of Iran. **Page S5771**

Lieberman Amendment No. 1156, to increase the authorized end strength for active duty personnel of the Army. **Pages S5570, S5801-04**

Isakson Amendment No. 1164, to amend the Internal Revenue Code of 1986 to expand the application of the homebuyer credit. **Page S5770**

Chambliss Amendment No. 1144, to protect the national security of the United States by limiting the immigration rights of individuals detained by the Department of Defense at Guantanamo Bay Naval Base. **Page S5770**

Cornyn Amendment No. 1139, to express the sense of the Senate that the interrogators, attorneys, and lawmakers who tried in good faith to protect the United States and abide by the law should not be prosecuted or otherwise sanctioned.

Pages S5770 S5775-77, S5799-S5801

Chair sustained a point of order that the following amendment contains sense of the Senate language and therefore, is dilatory under cloture, and the amendment thus fell:

Merkley/Whitehouse Amendment No. 1185, to express the sense of the Senate on the use by the Department of Defense of funds in the Act for operations in Iraq in a manner consistent with the United States-Iraq Status of Forces Agreement.

Page S5771

Senate insisted on its amendment, requested a conference with the House thereon, and the Chair was authorized to appoint the following conferees on the part of the Senate: Senators Inouye, Byrd, Leahy, Harkin, Mikulski, Kohl, Murray, Dorgan, Feinstein, Durbin, Johnson, Landrieu, Reed, Lautenberg, Nelson (NE), Pryor, Tester, Specter, Cochran, Bond, McConnell, Shelby, Gregg, Bennett, Hutchison, Brownback, Alexander, Collins, Voinovich, and Murkowski. **Page S5804**

Shi'ite Personal Status Law in Afghanistan: Senate agreed to 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, after agreeing to the committee amendment in the nature of a substitute, and the following amendment proposed thereto: **Page S5883**

Reid (for DeMint) Amendment No. 1224, to amend the preamble. **Pages S5883-84**

Yvonne Ingram-Ephraim Post Office Building: Senate passed H.R. 663, to designate the facility of the United States Postal Service located at 12877 Broad Street in Sparta, Georgia, as the "Yvonne Ingram-Ephraim Post Office Building", clearing the measure for the President. **Page S5884**

Stan Lundine Post Office Building: Senate passed H.R. 918, to designate the facility of the United States Postal Service located at 300 East 3rd Street in Jamestown, New York, as the "Stan Lundine Post Office Building", clearing the measure for the President. **Page S5884**

Major Ed W. Freeman Post Office: Senate passed H.R. 1284, to designate the facility of the United States Postal Service located at 103 West Main Street in McLain, Mississippi, as the "Major Ed W. Freeman Post Office", clearing the measure for the President. **Page S5884**

Brian K. Schramm Post Office Building: Senate passed H.R. 1595, to designate the facility of the United States Postal Service located at 3245 Latta Road in Rochester, New York, as the "Brian K. Schramm Post Office Building", clearing the measure for the President. **Page S5884**

Condemning Burmese State Peace and Development Council Actions: Senate agreed to S. Res. 160, condemning the actions of the Burmese State Peace and Development Council against Daw Aung San Suu Kyi and calling for the immediate and unconditional release of Daw Aung San Suu Kyi.

Pages S5884-85

National Hereditary Hemorrhagic Telangiectasia (HHT) Month: Senate agreed to S. Res. 161, recognizing June 2009 as the first National Hereditary Hemorrhagic Telangiectasia (HHT) month, established to increase awareness of HHT, which is a complex genetic blood vessel disorder that affects approximately 70,000 people in the United States. **Page S5885**

Langston Golf Course and African-American Golf History: Senate agreed to S. Res. 162, recommending the Langston Golf Course, located in northeast Washington, DC and owned by the National Park Service, be recognized for its important legacy and contributions to African-American golf history. **Pages S5885-86**

National Childhood Stroke Awareness Day: Senate agreed to S. Res. 163, expressing the sense of the Senate with respect to childhood stroke and designating an appropriate date as "National Childhood Stroke Awareness Day". **Page S5886**

Adjournment Resolution: Senate agreed to H. Con. Res. 133, providing for a conditional adjournment of the House of Representatives and a conditional recess or adjournment of the Senate.

Pages S5886–87

Measures Considered:

Railroad Antitrust Enforcement Act—Cloture Agreement: Senate began consideration of the motion to proceed to consideration of S. 146, to amend the Federal antitrust laws to provide expanded coverage and to eliminate exemptions from such laws that are contrary to the public interest with respect to railroads.

Page S5887

A motion was entered to close further debate on the motion to proceed to consideration of the bill, and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, and pursuant to the unanimous-consent agreement of Thursday, May 21, 2009, a vote on cloture will occur on Tuesday, June 2, 2009.

Page S5887

Subsequently, the motion to proceed was withdrawn.

Page S5887

A unanimous-consent agreement was reached providing that Senate resume consideration of the motion to proceed to consideration of the bill at approximately 3:00 p.m., on Monday, June 1, 2009.

Page S5888

Family Smoking Prevention and Tobacco Control Act—Cloture Agreement: Senate began consideration of the motion to proceed to consideration of H.R. 1256, to protect the public health by providing the Food and Drug Administration with certain authority to regulate tobacco products, to amend title 5, United States Code, to make certain modifications in the Thrift Savings Plan, the Civil Service Retirement System, and the Federal Employees' Retirement System.

Page S5887

A motion was entered to close further debate on the motion to proceed to consideration of 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 Tuesday, June 2, 2009.

Page S5887

Subsequently, the motion to proceed was withdrawn.

Page S5887

Signing Authority—Agreement: A unanimous-consent agreement was reached providing that on Thursday, May 21, 2009, the Majority Leader be authorized to sign duly enrolled bills or joint resolutions.

Page S5768

Authorizing Leadership to Make Appointments—Agreement: A unanimous-consent agreement was reached providing that, notwithstanding the adjournment of the Senate, the President of the Senate, the President Pro Tempore, and the Majority

and Minority Leaders be authorized to make appointments to commissions, committees, boards, conferences, or interparliamentary conferences authorized by law, by concurrent action of the two Houses, or by order of the Senate.

Page S5887

Authority for Committees—Agreement: A unanimous-consent agreement was reached providing that, notwithstanding the adjournment of the Senate, all committees be authorized to file legislative and executive reports on Friday, May 29, 2009, from 10 a.m. until 12 noon.

Page S5887

Signing Authority—Agreement: A unanimous-consent agreement was reached providing that during this adjournment of the Senate, Senator Reed be authorized to sign duly enrolled bills or joint resolutions.

Page S5887

Message from the President: Senate received the following message from the President of the United States:

Transmitting, pursuant to law, a report relative to a proposed Agreement for Cooperation Between the Government of the United States of America and the Government of the United Arab Emirates Concerning Peaceful Uses of Nuclear Energy; which was referred to the Committee on Foreign Relations. (PM–21)

Pages S5816–17

McCarthy Nomination—Agreement: A unanimous-consent agreement was reached providing that after a period of morning business, on Tuesday, June 2, 2009, Senate begin consideration of the nomination of Regina McCarthy, of Massachusetts, to be Assistant Administrator of the Environmental Protection Agency, and vote on confirmation of the nomination.

Page S5887

Nominations Confirmed: Senate confirmed the following nominations:

Seth David Harris, of New Jersey, to be Deputy Secretary of Labor.

Florence Y. Pan, 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.

Linda A. Puchala, of Maryland, to be a Member of the National Mediation Board for a term expiring July 1, 2009.

Linda A. Puchala, of Maryland, to be a Member of the National Mediation Board for a term expiring July 1, 2012.

Cameron F. Kerry, of Massachusetts, to be General Counsel of the Department of Commerce.

Sandra Brooks Henriquez, of Massachusetts, to be an Assistant Secretary of Housing and Urban Development.

Michael L. Connor, of Maryland, to be Commissioner of Reclamation.

Judith A. McHale, of Maryland, to be Under Secretary of State for Public Diplomacy.

Philip J. Crowley, of Virginia, to be an Assistant Secretary of State (Public Affairs).

John Q. Easton, of Illinois, to be Director of the Institute of Education Science, Department of Education for a term of six years.

Priscilla E. Guthrie, of Virginia, to be Chief Information Officer, Office of the Director of National Intelligence.

John D. Porcari, of Maryland, to be Deputy Secretary of Transportation.

Daniel Benjamin, of the District of Columbia, to be Coordinator for Counterterrorism, with the rank and status of Ambassador at Large.

Robert Orris Blake, Jr., of Maryland, to be Assistant Secretary of State for South Asian Affairs.

Rebecca M. Blank, of Maryland, to be Under Secretary of Commerce for Economic Affairs.

Peter M. Rogoff, of Virginia, to be Federal Transit Administrator.

Michael S. Barr, of Michigan, to be an Assistant Secretary of the Treasury.

J. Randolph Babbitt, of Virginia, to be Administrator of the Federal Aviation Administration for the term of five years.

Aneesh Chopra, of Virginia, to be an Associate Director of the Office of Science and Technology Policy.

5 Air Force nominations in the rank of general.

2 Marine Corps nominations in the rank of general.

1 Navy nomination in the rank of admiral.

Routine lists in the Air Force, National Oceanic and Atmospheric Administration, and Navy.

Pages S5888–89

Nominations Received: Senate received the following nominations:

Paul T. Anastas, of Connecticut, to be an Assistant Administrator of the Environmental Protection Agency.

Nancy J. Powell, of Iowa, to be Director General of the Foreign Service.

Cranston J. Mitchell, of Virginia, to be a Commissioner of the United States Parole Commission for a term of six years.

Routine lists in the Air Force, Army, and Navy.

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Messages from the House: Page S5817

Measures Referred: Page S5816

Enrolled Bills Presented: Page S5817

Executive Communications: Pages S5816–18

Petitions and Memorials: Page S5818

Executive Reports of Committees: Page S5818

Additional Cosponsors: Pages S5820–22

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Additional Statements: Page S5813

Amendments Submitted: Pages S5879–81

Notices of Hearings/Meetings: Page S5881

Authorities for Committees to Meet: Pages S5881–82

Record Votes: Three record votes were taken today. (Total—202) Pages S5771, S5787, S5804

Adjournment: Senate convened at 9 a.m. and adjourned, pursuant to the provisions of H. Con. Res. 133, at 9:51 p.m., until 2 p.m. on Monday, June 1, 2009. (For Senate’s program, see the remarks of the Majority Leader in today’s Record on page S5888.)

Committee Meetings

(Committees not listed did not meet)

APPROPRIATIONS: NATIONAL INSTITUTES OF HEALTH

Committee on Appropriations: Subcommittee on Labor, Health and Human Services, Education, and Related Agencies concluded a hearing to examine proposed budget estimates for fiscal year 2010 for the National Institutes of Health, after receiving testimony from Raynard S. Kington, Acting Director, Anthony S. Fauci, Director, National Institute of Allergy and Infectious Diseases, Elizabeth G. Nabel, Director, National Heart, Lung, and Blood Institute, and John E. Niederhuber, Director, National Cancer Institute, all of the National Institutes of Health, Department of Health and Human Services.

APPROPRIATIONS: NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

Committee on Appropriations: Subcommittee on Commerce, Justice, Science, and Related Agencies concluded a hearing to examine proposed budget estimates for fiscal year 2010 for the National Aeronautics and Space Administration, after receiving testimony from Christopher J. Scolese, Acting Administrator, National Aeronautics and Space Administration.

APPROPRIATIONS: FOOD AND DRUG ADMINISTRATION

Committee on Appropriations: Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies concluded a hearing to examine proposed budget estimates for fiscal year 2010 for the Food and Drug Administration, after

receiving testimony from Joshua M. Sharfstein, Acting Commissioner, and Patrick McGarey, Director, and Norris Cochran, Deputy Assistant Secretary, both of the Office of Budget, all of the Food and Drug Administration, Department of Health and Human Services.

APPROPRIATIONS: GOVERNMENT ACCOUNTABILITY OFFICE, GOVERNMENT PRINTING OFFICE, AND THE CONGRESSIONAL BUDGET OFFICE

Committee on Appropriations: Subcommittee on Legislative Branch concluded a hearing to examine proposed budget estimates for fiscal year 2010 for the Government Accountability Office, the Government Printing Office, and the Congressional Budget Office, after receiving testimony from Gene L. Dodaro, Acting Comptroller General, Government Accountability Office; Robert C. Tapella, Public Printer, Government Printing Office; and Douglas W. Elmendorf, Director, Congressional Budget Office.

DEPARTMENT OF THE AIR FORCE BUDGET

Committee on Armed Services: Committee concluded a hearing to examine the Defense Authorization request for fiscal year 2010 and the Future Years Defense Program for the Department of the Air Force, after receiving testimony from Michael B. Donley, Secretary of the Air Force, and General Norton A. Schwartz, USAF, Chief of Staff of the Air Force, both of the Department of Defense.

BUSINESS MEETING

Committee on Banking, Housing, and Urban Affairs: Committee ordered favorably reported the nominations of Peter M. Rogoff, of Virginia, to be Federal Transit Administrator, Department of Transportation, Francisco J. Sanchez, of Florida, to be Under Secretary of Commerce for International Trade, Sandra Brooks Henriquez, of Massachusetts, to be Assistant Secretary of Housing and Urban Development for Public and Indian Housing, and Michael S. Barr, of Michigan, to be Assistant Secretary of the Treasury for Financial Institutions.

IMPORTED DRYWALL HEALTH AND PRODUCT SAFETY ISSUES

Committee on Commerce, Science, and Transportation: Subcommittee on Consumer Protection, Product Safety, and Insurance concluded a hearing to examine health and product safety issues associated with imported drywall, after receiving testimony from Senator Landrieu; Lori Saltzman, Director, Division of Health Sciences, United States Consumer Product Safety Commission; Michael McGeehin, Director, Division of Environmental Hazards and Health Effects, National Center for Environmental Health,

Centers for Disease Control and Prevention, Department of Health and Human Services; Elizabeth Southerland, Acting Deputy Director, Office of Superfund Remediation and Technology Innovation, Environmental Protection Agency; David Krause, Florida Department of Health State Toxicologist, Tallahassee; Randy Noel, The National Association of Home Builders, LaPlace, Louisiana; and Richard J. Kampf, Cape Coral, Florida.

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION BUDGET

Committee on Commerce, Science, and Transportation: Subcommittee on Science and Space concluded a hearing to examine the President's proposed budget request for fiscal year 2010 for the National Aeronautics and Space Administration, after receiving testimony from Christopher J. Scolese, Acting Administrator, National Aeronautics and Space Administration.

ECONOMIC DEVELOPMENT ADMINISTRATION

Committee on Environment and Public Works: Committee concluded an oversight hearing to examine the Economic Development Administration, after receiving testimony from Sandra R. Walters, Chief Financial Officer, Chief Administrative Officer, Economic Development Administration, Department of Commerce; James Kennedy, Butler County Commissioner, Butler, Pennsylvania, on behalf of the National Association of Regional Councils; LaVern W. Phillips, Woodward Industrial Foundation, Woodward, Oklahoma; and Leanne Mazer, Tri-County Council for Western Maryland, Frostburg, on behalf of the National Association of Development Organizations.

U.S.-PANAMA TRADE PROMOTION AGREEMENT

Committee on Finance: Committee concluded a hearing to examine The United States-Panama Trade Promotion Agreement, after receiving testimony from Everett Eissenstat, Assistant United States Trade Representative for the Americas; James Owens, Caterpillar, Inc., Peoria, Illinois, on behalf of the United States Chamber of Commerce Business Roundtable; Thea Mei Lee, AFL-CIO, Washington, D.C.; and Sam Carney, National Pork Producers Council, Adair, Iowa.

STRATEGY FOR AFGHANISTAN AND PAKISTAN

Committee on Foreign Relations: Committee concluded a hearing to examine a new strategy for Afghanistan and Pakistan, after receiving testimony from Admiral Michael G. Mullen, USN, Chairman of the Joint Chiefs of Staff, Department of Defense.

FINANCIAL REGULATORY LESSONS FROM ABROAD

Committee on Homeland Security and Governmental Affairs: Committee concluded a hearing to examine financial regulatory lessons from abroad, after receiving testimony from David Green, former Head of International Policy, Financial Services Authority, London, United Kingdom; Jeffrey Carmichael, Promontory Financial Group Australasia, Republic of Singapore; W. Edmund Clark, TD Bank Financial Group, Toronto, Ontario; and David G. Nason, Promontory Financial Group LLC, Washington, D.C.

TRUST LANDS FOR INDIAN TRIBES

Committee on Indian Affairs: Committee concluded a hearing to examine executive branch authority to acquire trust lands for Indian tribes, after receiving testimony from Lawrence E. Long, South Dakota Attorney General, Sacramento, California, on behalf of the Conference of Western Attorneys General; Edward P. Lazarus, Akin Gump Strauss Hauer and Feld, LLP, Los Angeles, California; and W. Ron Allen, National Congress of American Indians, Washington, D.C.

BUSINESS MEETING

Committee on the Judiciary: Committee announced the following subcommittee assignments:

Subcommittee on Administrative Oversight and the Courts: Senators Whitehouse (Chair), Feinstein, Feingold, Schumer, Cardin, Kaufman, Sessions, Grassley, Kyl, and Graham.

Subcommittee on Antitrust, Competition Policy and Consumer Rights: Senators Kohl (Chair), Schumer, Whitehouse, Wyden, Klobuchar, Kaufman, Specter, Hatch, Grassley, and Cornyn.

Subcommittee on the Constitution: Senators Feingold (Chair), Feinstein, Durbin, Cardin, Whitehouse, Specter, Coburn, Kyl, Cornyn, and Graham.

Subcommittee on Crime and Drugs: Senators Specter (Chair), Kohl, Feinstein, Feingold, Schumer, Durbin, Cardin, Klobuchar, Kaufman, Graham, Hatch, Grassley, Sessions, and Coburn.

Subcommittee on Immigration, Refugees and Border Security: Senators Schumer (Chair), Leahy, Feinstein, Durbin, Whitehouse, Wyden, Cornyn, Grassley, Kyl, and Sessions.

Subcommittee on Terrorism and Homeland Security: Senators Cardin (Chair), Kohl, Feinstein, Schumer, Durbin, Wyden, Kaufman, Kyl, Hatch, Sessions, Cornyn, and Coburn.

Subcommittee on Human Rights and the Law: Senators Durbin (Chair), Feingold, Cardin, Kaufman, Specter, Coburn, Cornyn, and Graham.

Senators Leahy and Sessions are ex-officio members of each of the Subcommittees.

RECOVERY ACT CONTRACTING AND ROLE OF SMALL BUSINESS

Committee on Small Business and Entrepreneurship: Committee concluded a hearing to examine the role of small business in recovery act contracting, after receiving testimony from Joseph G. Jordan, Associate Administrator, Government Contracting and Business Development, Small Business Administration; Gerardo Franco, Chief, Procurement Assistance Division, Office of Small and Disadvantaged Business Utilization, Department of Transportation; Sharon Arnold, SSACC, Inc., Pontiac, Illinois; Joe Flynn, University of Tennessee Center for Industrial Services, Nashville, on behalf of the Association of Procurement Technical Assistance Centers; Sylvia Medina, North Wind, Inc., Idaho Falls, Idaho, on behalf of Women Impacting Public Policy; and Theresa Alfaro Daytner, Daytner Construction Group, Mt. Airy, Maryland.

BUSINESS MEETING

Committee on Veterans' Affairs: Committee ordered favorably reported the following items:

S. 252, to amend title 38, United States Code, to enhance the capacity of the Department of Veterans Affairs to recruit and retain nurses and other critical health-care professionals, to improve the provision of health care veterans;

S. 407, to increase, effective as of December 1, 2009, the rates of compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for the survivors of certain disabled veterans;

S. 423, to amend title 38, United States Code, to authorize advance appropriations for certain medical care accounts of the Department of Veterans Affairs by providing two-fiscal year budget authority;

S. 475, to amend the Servicemembers Civil Relief Act to guarantee the equity of spouses of military personnel with regard to matters of residency;

S. 669, to amend title 38, United States Code, to clarify the conditions under which certain persons may be treated as adjudicated mentally incompetent for certain purposes;

S. 728, to amend title 38, United States Code, to enhance veterans' insurance benefits, with an amendment; and

S. 801, to amend title 38, United States Code, to waive charges for humanitarian care provided by the Department of Veterans Affairs to family members accompanying veterans severely injured after September 11, 2001, as they receive medical care from the Department and to provide assistance to family caregivers.

NOMINATIONS

Select Committee on Intelligence: Committee concluded a hearing to examine the nominations of Stephen Woolman Preston, of the District of Columbia, to be

General Counsel of the Central Intelligence Agency, and Robert S. Litt, of Maryland, to be General Counsel of the Office of the Director of National Intelligence, after the nominees testified and answered questions in their own behalf.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 117 public bills, H.R. 2537–2643; 2 private bills, H.R. 2644–2645; and 25 resolutions, H.J. Res. 54–55; H. Con. Res. 133–136; and H. Res. 469–473, 475–488 were introduced. **Pages H6008–6014**

Additional Cosponsors: **Pages H6014–16**

Reports Filed: Reports were filed today as follows:

Supplemental report on H.R. 915, to amend title 49, United States Code, to authorize appropriations for the Federal Aviation Administration for fiscal years 2009 through 2012, to improve aviation safety and capacity, and to provide stable funding for the national aviation system (H. Rept. 111–119, Pt. 2);

H. Res. 474, providing for consideration of the bill (H.R. 2200) to authorize the Transportation Security Administration's programs relating to the provision of transportation security (H. Rept. 111–127); and

H.R. 1736, to provide for the establishment of a committee to identify and coordinate international science and technology cooperation that can strengthen the domestic science and technology enterprise and support United States foreign policy goals, with an amendment (H. Rept. 111–128). **Page H6008**

Chaplain: The prayer was offered by the Guest Chaplain, Reverend Troy Ehlke, Christ Lutheran Church, Charlotte, North Carolina. **Page H5895**

Adjournment Resolution: The House agreed to H. Con. Res. 133, providing for a conditional adjournment of the House of Representatives and a conditional recess or adjournment of the Senate, by a yeas-and-nays vote of 237 yeas to 184 nays, Roll No. 282. **Page H5904**

Privileged Resolution—Intent to Offer: Representative Bishop (UT) announced his intent to offer a privileged resolution. **Pages H5904–05**

Question of Privilege: The Chair ruled that the resolution offered by Representative Bishop (UT) did not constitute a question of the privileges of the

House. Agreed to table the motion to appeal the ruling of the Chair by a yeas-and-nays vote of 252 yeas to 172 nays, Roll No. 283. **Pages H5905–06**

Weapon Systems Acquisition Reform Act of 2009—Conference Report: The House agreed to the conference report to accompany S. 454, to improve the organization and procedures of the Department of Defense for the acquisition of major weapon systems, by a yeas-and-nays vote of 411 yeas with none voting "no", Roll No. 286. **Pages H5898–H5900, H5907–12**

H. Res. 463, the rule providing for consideration of the conference report, was agreed to by a voice vote, after agreeing to order the previous question without objection. **Page H5907**

Suspension—Proceedings Resumed: The House agreed to suspend the rules and pass the following measure which was debated on Tuesday, May 19th:

Prevent All Cigarette Trafficking Act of 2009: H.R. 1676, amended, to prevent tobacco smuggling and to ensure the collection of all tobacco taxes, by a yeas-and-nays vote of 397 yeas to 11 nays, Roll No. 287. **Pages H5912–13**

FAA Reauthorization Act of 2009: The House passed H.R. 915, to amend title 49, United States Code, to authorize appropriations for the Federal Aviation Administration for fiscal years 2009 through 2012, to improve aviation safety and capacity, and to provide stable funding for the national aviation system, by a recorded vote of 277 yeas to 136 noes, Roll No. 291. **Pages H5901–04, 5906–07, 5913–81**

Rejected the Campbell motion to recommit the bill to the Committee on Transportation and Infrastructure with instructions to report the same back to the House forthwith with an amendment, by a recorded vote of 154 yeas to 263 noes, Roll No. 290. **Pages H5978–80**

Pursuant to the rule, the amendment in the nature of a substitute printed in part A of H. Rept. 111–126, modified by the amendment printed in part B of such report, shall be considered as adopted in the House and in the Committee of the Whole,

in lieu of the amendment in the nature of a substitute recommended by the Committee on Transportation and Infrastructure now printed in the bill. The bill, as amended, shall be considered as the original bill for the purpose of further amendment under the 5-minute rule. **Page H5928**

Agreed to amend the title so as to read: "To amend title 49, United States Code, to authorize appropriations for the Federal Aviation Administration for fiscal years 2010 through 2012, to improve aviation safety and capacity, to provide stable funding for the national aviation system, and for other purposes." **Page H5981**

Agreed to:

Oberstar manager's amendment (No. 1 printed in part C of H. Rept. 111–126) that makes sundry changes to the bill; **Pages H5959–66**

Lee (NY) amendment (No. 2 printed in part C of H. Rept. 111–126) that requires GAO, within 3 months of enactment, to initiate a study into commercial airline pilot training and certification programs. The GAO shall submit the report to Congress within 12 months of the study's initiation; **Pages H5966–68**

Richardson amendment (No. 3 printed in part C of H. Rept. 111–126) that requires the Transportation Secretary, within 180 days of enactment, to issue regulations to require each air carrier to provide each of its passengers an option to receive a text message (or other comparable electronic service), subject to any fees applicable under the contract of the passenger for the electronic service, from the air carrier consisting of a notification of any change in the status of the flight of such passenger prior to boarding. This would only apply to air carriers that earn at least one-percent of the domestic passenger service revenue; **Pages H5968–69**

Cuellar amendment (No. 5 printed in part C of H. Rept. 111–126), as modified, that directs the FAA Administrator to study the FAA radar signal locations and their impact on the development of renewable energy technologies, and to make recommendations as necessary for relocation of FAA radars and testing and deployment as needed; **Pages H5970–71**

Murphy (CT) amendment (No. 7 printed in part C of H. Rept. 111–126) that provides that when conducting an appraisal for purchase or property under the Airport Improvement Program, the appraisal must not consider either the increased or decreased value of the property due to the property's inclusion in a potential project; **Page H5972**

Cassidy amendment (No. 8 printed in part C of H. Rept. 111–126) that amends section 417 (review of air carrier flight delays, cancellations, and associated causes) so that the Inspector General study in-

cludes the effect that limited air carrier service operations on routes have on the frequency of delays and cancellations on such routes; **Pages H5972–73**

Kilroy amendment (No. 9 printed in part C of H. Rept. 111–126) that requires the GAO to study, within one year of enactment, the effectiveness of FAA oversight activities related to preventing or mitigating the effects of dense continuous smoke in the cockpit of commercial aircraft; **Page H5975**

Lowey amendment (No. 11 printed in part C of H. Rept. 111–126) that directs the FAA to initiate a rulemaking process to determine the authorization of Westchester County Airport to reinstate limits on overnight aircraft operations; **Page H5975**

Ackerman amendment (No. 12 printed in part C of H. Rept. 111–126) that provides that Congress finds the FAA did not follow FAA policy statements in determining whether the proposed College Point Marine Transfer Station in New York if constructed would constitute a hazard to air navigation. It also requires the FAA Administrator to take such actions as may be necessary to designate the proposed College Point Marine Transfer Station in New York City, New York, as a hazard to air navigation; **Pages H5975–77**

Burgess amendment (No. 4 printed in part C of H. Rept. 111–126) that expresses the sense of Congress that FAA whistleblowers be granted the full protection of the law (by a recorded vote of 420 ayes with none voting "no", Roll No. 288); and **Pages H5969–70, H5977**

McCaul amendment (No. 6 printed in part C of H. Rept. 111–126) that prohibits authorized funds from being used to name a project or program for an individual then serving as a Member, Delegate, Resident Commissioner, or Senator of the United States Congress (by a recorded vote of 417 ayes to 2 noes, Roll No. 289). **Pages H5971–72, H5977–78**

Withdrawn:

Frelinghuysen amendment (No. 10 printed in part C of H. Rept. 111–126) that was offered and subsequently withdrawn that would have required the FAA to study the proposed New York/New Jersey/Philadelphia Class B modification design change. The study would determine the effect of the change on the environment, with an emphasis on airplane noise. The study would state whether the change was considered in conjunction with the New York/New Jersey/Philadelphia Airspace Redesign. **Pages H5974–75**

Agreed that the Clerk be authorized to make technical and conforming changes to reflect the actions of the House. **Page H5981**

H. Res. 464, the rule providing for consideration of the bill, was agreed to by a yea-and-nay vote of 234 yeas to 178 nays, Roll No. 285, after agreeing

to order the previous question by a yea-and-nay vote of 246 yeas to 175 nays, Roll No. 284.

Pages H5906–07

Public Interest Declassification Board—Appointment: Read a letter from Representative Boehner, Minority Leader, in which he reappointed Admiral William O. Studeman of Great Falls, Virginia to the Public Interest Declassification Board. Page H5983

National Council on the Arts—Reappointment: Read a letter from Representative Boehner, Minority Leader, in which he reappointed Representative Tiberi to the National Council on the Arts. Page H5993

Commission on Congressional Mailing Standards—Appointment: The Chair announced the Speaker's appointment of the following Members of the House of Representatives to the Commission on Congressional Mailing Standards: Representatives Davis (CA), Sherman, and Edwards (MD). Page H5993

Mexico-United States Interparliamentary Group—Appointment: The Chair announced the Speaker's appointment of the following Members of the House of Representatives to the Mexico-United States Interparliamentary Group: Representatives McCaul, Dreier, Mack, Bilbray, and Nunes. Page H5993

Presidential Message: Read a message from the President wherein he transmitted the text of a proposed Agreement for Cooperation Between the Government of the United States of America and the Government of the United Arab Emirates Concerning Peaceful Uses of Nuclear Energy—referred to the Committee on Foreign Affairs and ordered printed (H. Doc. 111–43). Pages H5983–84

Senate Message: Message received from the Senate today appears on page H5895.

Senate Referrals: S. 614 was referred to the Committees on Financial Services and House Administration. Page H6006

Quorum Calls—Votes: Six yea-and-nay votes and four recorded votes developed during the proceedings of today and appear on pages H5904, H5905–06, H5906–07, H5907, H5912, H5913, H5977, H5978, H5979–80, H5980–81. There were no quorum calls.

Adjournment: The House met at 10 a.m. and at 9.27 p.m., the House stands adjourned until 3 p.m. on Monday, May 25, 2009 unless it sooner has received a message from the Senate transmitting its concurrence in H. Con. Res. 133, in which case the House shall stand adjourned pursuant to that concurrent resolution.

Committee Meetings

LOW CARBON FUEL STANDARDS PROPOSALS

Committee on Agriculture: Held a hearing to review low carbon fuel standard proposals. Testimony was heard from public witnesses.

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 FDA. Testimony was heard from John M. Sharfstein, M.D., Acting Commissioner, FDA, Department of Health and Human Services.

DEFENSE APPROPRIATIONS

Committee on Appropriations: Subcommittee on Defense held a hearing on Defense Health Program. Testimony was heard from the following officials of the Department of Defense: Ellen Embrey, Deputy Assistant Secretary, Force Health Readiness and Protection; LTG Eric Shoemaker, Army Surgeon General, and Commander, U.S. Army Medical Command; VADM Adam M. Robinson, Surgeon General, U.S. Navy; LTG James G. Roudebush, USAF, Surgeon General, U.S. Air Force; and the following officials of the Joint Task Force Capital Region Medicine: VADM John M. Mateczun, USN., and BG Philip Volope, Deputy Commander, USA.

ENERGY AND WATER DEVELOPMENT, AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Energy and Water Development, and Related Agencies held a hearing on Nuclear Security Administration (NNSA): Nuclear Nonproliferation and Weapons. Testimony was heard from the following officials of the Department of Energy: Thomas P. A'Agostino, Under Secretary, Nuclear Security and Administrator of NNSA; A. Garrett Harencak, Principal Assistant Deputy Administrator, Military Application; and Kenneth Baker, Principal Assistant Deputy Administrator, Defense Nuclear Nonproliferation.

FINANCIAL SERVICES, GENERAL GOVERNMENT AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Financial Services, General Government and Related Agencies held a hearing on Treasury Department. Testimony was heard from Timothy Geithner, Secretary of the Treasury.

INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Interior, Environment, and Related Agencies held a hearing on the U.S. Geological Survey. Testimony was heard from Suzette Kimball, Acting Director, U.S. Geological Survey, Department of the Interior.

NATIONAL DEFENSE AUTHORIZATION

Committee on Armed Services: Subcommittee on Air and Land Forces held a hearing on Fiscal Year 2010 National Defense Authorization Budget Request for Army Acquisition, Reset, and Modernization Programs. Testimony was heard from Department of Defense: David G. Ahern, Director, Portfolio Systems Acquisition, Office of the Under Secretary, Acquisition, Technology, and Logistics; LTG N. Ross Thompson, III, USA, Military Deputy to the Assistant Secretary, Acquisition, Logistics and Technology, U.S. Army; and LTG Stephen M. Speakes, USA, Deputy Chief of Staff, G-8, U.S. Army.

NATIONAL DEFENSE AUTHORIZATION

Committee on Armed Services: Subcommittee on Military Personnel held a hearing on Fiscal Year 2010 National Defense Authorization Budget Request on Military Personnel Overview. Testimony was heard from the following officials of the Department of Defense: Gail H. McGinn, Acting Under Secretary, Personnel and Readiness; LTG Michael D. Rochelle, USA, Deputy Chief of Staff, G-1; VADM Mark E. Ferguson, III, USN, Chief of Naval Personnel, Deputy Chief of Naval Operations, Total Force; LTG Ronald S. Coleman, USMC, Deputy Commandant, Manpower and Reserve Affairs, Headquarters, U.S. Marine Corps; and LTG Richard Y. Newton, III, USAF, Deputy Chief of Staff, Manpower and Personnel, Headquarters, U.S. Air Force.

NATIONAL DEFENSE AUTHORIZATION

Committee on Armed Services: Subcommittee on Strategic Forces held a hearing on Fiscal Year 2010 National Defense Authorization Budget Request for National Security Space and Missile Defense Programs. Testimony was heard from the following officials of the Department of Defense: GEN C. Robert Kehler, USAF, Commander, Air Force Space Command; and LTG Patrick J. O'Reilly, USA, Director, Missile Defense Agency.

STATE OF THE ECONOMY

Committee on the Budget: Held a hearing on the State of the Economy. Testimony was heard from Douglas Elmendorf, Director, CBO.

INCREASING STUDENT AID THROUGH LOAN REFORM

Committee on Education and Labor: Held a hearing on Increasing Student Aid Through Loan Reform. Testimony was heard from Robert Shireman, Deputy Under Secretary, Department of Education; John F. Remondi, Vice Chairman and Chief Financial Officer Sallie Mae; and public witnesses.

AMERICAN CLEAN ENERGY AND SECURITY ACT

Committee on Energy and Commerce: Ordered reported, as amended, H.R. 2454, American Clean Energy and Security Act of 2009.

OVERSIGHT—MUNICIPAL FINANCE

Committee on Financial Services: Held a hearing entitled "Legislative Proposals to Improve the Efficiency and Oversight of Municipal Finance." Testimony was heard from Martha Mahan Haines, Chief, Office of Municipal Securities, SEC; Bill Apgar, Senior Advisor to the Secretary, Department of Housing and Urban Development; David W. Wilcox, Deputy Director, Division of Research and Statistics, Board of Governors, Federal Reserve System; Thomas C. Leppert, Mayor, Dallas, Texas; and public witnesses.

SECTION 8 VOUCHER REFORM ACT

Committee on Financial Services: Subcommittee on Housing and Community Opportunity held a hearing entitled "The Section 8 Voucher Reform Act." Testimony was heard from Shaun Donovan, Secretary of Housing and Urban Development.

PIRACY

Committee on Homeland Security: Subcommittee on Border, Maritime, and Global Counterterrorism met in executive session to hold a briefing on piracy. Testimony was heard from departmental witnesses.

MILITARY AND OVERSEAS VOTING OBSTACLES AND POTENTIAL SOLUTION

Committee on House Administration: Held a hearing on Military and Overseas Voting: Obstacles and Potential Solutions. Testimony was heard from the following officials of the Department of Defense: Gail McGinn, Acting Under Secretary, Personnel and Readiness; and CAPT Patricia Garcia, USAF, Voting Assistance Officer, U.S. Air Force; Rokey Suleman, General Registrar, Fairfax County, Virginia; and Jessie Jane Duff, Gunnery Sergeant, U.S. Marine Corps (Ret.).

RAMIFICATIONS OF AUTO INDUSTRY BANKRUPTCIES

Committee on the Judiciary: Held a hearing on Ramifications of Auto Industry Bankruptcies. Testimony was heard from public witnesses.

FEDERAL COCAINE SENTENCING UNFAIRNESS

Committee on the Judiciary: Subcommittee on Crime, Terrorism, and Homeland Security held a hearing on Unfairness in Federal Cocaine Sentencing: Is it time to Crack the 100 to 1 Disparity? including discussion of the following bills: H.R. 1459, Fairness in Cocaine Sentencing Act of 2009; H.R. 1466, Major Drug Trafficking Prosecution Act of 2009; H.R. 265, Drug Sentencing Reform and Cocaine Kingpin Trafficking Act of 2009; H.R. 2178, Crack-Cocaine Equitable Sentencing Act of 2009; and H.R. 18, Powder-Crack Cocaine Penalty Equalization Act of 2009. Testimony was heard from Representatives Rangel, Jackson-Lee of Texas; Bartlett and Waters; Lanny A. Breuer, Assistant Attorney General, Criminal Division, Department of Justice; Ricardo H. Hinojosa, U.S. District Court Judge, Southern District of Texas and Acting Chair, U.S. Sentencing Commission; and public witnesses.

OVERSIGHT—FUTURE OF FOREST ECONOMY

Committee on Natural Resources: Subcommittee on National Parks, Forests and Public Lands held an oversight hearing on the Future of the Forest Economy. Testimony was heard from Representative Herger; Randy Moore, Regional Forester, Forest Service, USDA; Steve Wilensky, Calaveras County District 2 Supervisor, San Andreas, California; and public witnesses.

STAKEHOLDERS' VIEWS ON THE NATIONAL ARCHIVES AND RECORDS ADMINISTRATION

Committee on Oversight and Government Reform: Subcommittee on Information Policy, Census, and National Archives held a hearing entitled "Stakeholders' Views on the National Archives and Records Administration (NARA)." Testimony was heard from public witnesses.

TRANSPORTATION SECURITY ADMINISTRATION AUTHORIZATION ACT

Committee on Rules: Granted, by a non-record vote, a structured rule providing for consideration of H.R. 2200, the "Transportation Security Administration Authorization Act." The rule provides one hour of general debate equally divided and controlled by the chair and ranking minority member of the Committee on Homeland Security.

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 in the nature of a substitute recommended by the Committee on Homeland Security shall be considered as an original bill for the purpose of amendment and shall be considered as read. The rule waives all points of order against the amendment in the nature of a substitute except those arising under clause 10 of rule XXI.

The rule makes in order only those amendments printed in the report of the Committee on Rules. The amendments made in order may be offered only in the order printed in the Committee report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in this report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for a division of the question in the House or in the Committee of the Whole. All points of order against the amendments except those arising under clause 9 or 10 of rule XXI are waived. Finally, the rule provides one motion to recommit with or without instructions. Testimony was heard from Chairman Thompson of Mississippi and Representatives Snyder, Jackson-Lee of Texas, Dent, Souder, Daniel E. Lungren of California, Bachus, Mich and Hastings of Washington.

SMALL BIOFUELS AND FAMILY FARMERS

Committee on Small Business: Subcommittee on Regulations and Healthcare held a hearing entitled "Impacts of Outstanding Regulatory Policy on Small Biofuels Producers and Family Farmers." Testimony was heard from Cheryl Cook, Deputy Under Secretary, Rural Development, USDA; Margo Oge, Director, Office of Transportation and Air Quality, Office of Air and Radiation, EPA; and public witnesses.

VETERANS MEASURES

Committee on Veterans' Affairs: Subcommittee on Disability Assistance and Memorial Affairs held a hearing on the following bills: H.R. 1522, United States Cadet Nurse Corps Equity Act; H.R. 1982, Veterans Entitlement to Service (VETS) Act of 2009, and H.R. 2270, Benefits for Qualified World War II Veterans Act of 2009. Testimony was heard from Representatives Lowey and Kilpatrick, of Michigan; and Bradely G. Mayes, Director, Compensation and Pension Service, Veterans Benefits Administration, Department of Veterans Affairs.

MISCELLANEOUS MEASURES

Committee on Veterans' Affairs: Subcommittee on Economic Opportunity held a hearing on the following

bills: H.R. 1037, Pilot College Work Study Programs for Veterans Act of 2009; H.R. 1098, Veterans Worker Retraining Act of 2009; H.R. 1168, Veterans Retraining Act of 2009; H.R. 1172, To direct the Secretary of Veterans Affairs to include on the Internet website of the Department of Veterans Affairs a list of organizations that provide scholarships to veterans and their survivors; H.R. 1821, Equity for Injured Veterans Act of 2009; H.R. 1879, National Guard Employment Protection Act of 2009; and H.R. 2180, To amend title 38, United States Code, to waive housing loan fees for certain veterans with service-connected disabilities called to active service. Testimony was heard from Representative Coffman; Keith M. Wilson, Director, Office Education Service, Veterans Benefits Administration, Department of Veterans Affairs; and John C. McWilliam, Deputy Assistant Secretary, Veterans' Employment and Training Service, Department of Labor.

TAX-EXEMPT AND TAXABLE GOVERNMENT BONDS ISSUES

Committee on Ways and Means: Subcommittee on Select Revenue Measures held a hearing on issues involving tax-exempt and taxable government bonds. Testimony was heard from Alan Krueger, Assistant Secretary, Economic Policy, Department of the

Treasury; Patrick McCoy, Director of Finance, Metropolitan Transportation Authority, New York State; and public witnesses.

BRIEFING—EXECUTIVE OVERVIEW

Permanent Select Committee on Intelligence: Met in executive session to hold a briefing on Executive Overview. Testimony was heard from Michael Morrell, Director of Intelligence, CIA.

Joint Meetings

No joint committee meetings were held.

COMMITTEE MEETINGS FOR FRIDAY, MAY 22, 2009

(Committee meetings are open unless otherwise indicated)

Senate

No meetings/hearings scheduled.

House

Committee on Transportation and Infrastructure, Subcommittee on Economic Development, Public Buildings, and Emergency Management, hearing on Still Post-Katrina: How FEMA Decides When Housing Responsibilities End, 10 a.m., 2167 Rayburn.

Next Meeting of the SENATE

2 p.m., Monday, June 1

Senate Chamber

Program for Monday: After the transaction of any morning business (not to extend beyond 3 p.m.), Senate will resume consideration of the motion to proceed to consideration of S. 146, Railroad Antitrust Enforcement Act.

Next Meeting of the HOUSE OF REPRESENTATIVES

2 p.m., Tuesday, June 2

House Chamber

Program for Tuesday: To be announced.

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