

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S4999–S5043

Measures Introduced: Ten bills and one resolution were introduced, as follows: S. 951–960, and S. Res. 125. **Pages S5013–14**

Measures Considered:

Helping Families Save Their Homes Act: Senate continued consideration of S. 896, to prevent mortgage foreclosures and enhance mortgage credit availability, taking action on the following amendments proposed thereto: **Pages S4999–S5011**

Pending:

Dodd/Shelby Amendment No. 1018, in the nature of a substitute. **Pages S4999–S5011**

Corker Amendment No. 1019 (to Amendment No. 1018), to address safe harbor for certain servicers. **Page S4999**

Vitter Amendment No. 1016 (to Amendment No. 1018), to authorize and remove impediments to the repayment of funds received under the Troubled Asset Relief Program. **Page S4999**

Vitter Amendment No. 1017 (to Amendment No. 1018), to provide that the primary and foundational responsibility of the Federal Housing Administration shall be to safeguard and preserve the solvency of the Administration. **Page S4999**

A unanimous-consent-time agreement was reached providing that Senate resume consideration of the bill at approximately 3 p.m., on Monday, May 4, 2009, and that at 5 p.m., there be 30 minutes of debate, equally divided and controlled between Senators Dodd and Vitter, or their designees, to debate concurrently Vitter Amendments No. 1016 (to Amendment No. 1018) and 1017 (to Amendment No. 1018) (listed above); provided that at 5:30 p.m., Senate vote on or in relation to the amendments in the order listed above; that no amendments be in order to either amendment prior to a vote on or in relation thereto; with 2 minutes of debate, equally divided and controlled, prior to each vote, with the second vote being 10 minutes in duration; provided further, that other than Dodd/Shelby Amendment No. 1018, the following be the only first-degree amendments in order to the bill, and that they be

subject to second-degree amendments which would be relevant to the amendment to which offered; with a managers amendment which has been cleared by the Managers and two Leaders, in order and that once it is offered, it be agreed to; provided that upon disposition of the listed amendments, the substitute amendment, as amended, if amended, be agreed to, and Senate vote on passage of the bill: Vitter Amendment No. 1016 (listed above), Vitter Amendment No. 1017 (listed above), Corker Amendment No. 1019 (listed above), Grassley Amendment No. 1020, Grassley Amendment No. 1021, Casey Amendment No. 1033, Ensign Amendment No. 1034, Kohl Amendment No. 1037, Kerry Amendment No. 1036, Thune Amendment No. 1030, Boxer Amendment No. 1035, DeMint Amendment No. 1026, Isakson Amendment No. 1027, Schumer Amendment No. 1031, Reed Amendment No. 1039, Feingold Amendment No. 1032, Reed Amendment No. 1040, and Boxer Amendment No. 1038. **Page S5011**

Nominations Confirmed: Senate confirmed the following nominations:

David S. Cohen, of Maryland, to be Assistant Secretary for Terrorist Financing, Department of the Treasury.

Russlynn Ali, of California, to be Assistant Secretary for Civil Rights, Department of Education.

Carmel Martin, of Maryland, to be Assistant Secretary for Planning, Evaluation, and Policy Development, Department of Education.

Charles P. Rose, of Illinois, to be General Counsel, Department of Education.

Peter Cunningham, of Illinois, to be Assistant Secretary for Communications and Outreach, Department of Education.

Brian Vincent Kennedy, of Virginia, to be an Assistant Secretary of Labor.

Peter A. Kovar, of Maryland, to be an Assistant Secretary of Housing and Urban Development.

T. Michael Kerr, of the District of Columbia, to be an Assistant Secretary of Labor.

John D. Trasvina, of California, to be an Assistant Secretary of Housing and Urban Development.

Helen R. Kanovsky, of Maryland, to be General Counsel of the Department of Housing and Urban Development.

Gabriella Cecilia Gomez, of California, to be Assistant Secretary for Legislation and Congressional Affairs, Department of Education.

Thomasina Rogers, of Maryland, to be a Member of the Occupational Safety and Health Review Commission for a term expiring April 27, 2015.

Pages S5042, S5043

Nominations Received: Senate received the following nominations:

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

Herbert M. Allison, Jr., of Connecticut, to be an Assistant Secretary of the Treasury. Page S5043

Executive Reports of Committees: Page S5013

Additional Cosponsors: Page S5014

Statements on Introduced Bills/Resolutions: Pages S5014–27

Additional Statements: Page S5013

Amendments Submitted: Pages S5027–42

Notices of Hearings/Meetings: Page S5042

Adjournment: Senate convened at 9:30 a.m. and adjourned at 2:39 p.m., until 2 p.m. on Monday, May 4, 2009. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S5043.)

Committee Meetings

(Committees not listed did not meet)

No committee meetings were held.

House of Representatives

Chamber Action

The House was not in session today. The House is scheduled to meet at 12:30 p.m. on Monday, May 4, 2009.

Committee Meetings

COLLEGE FOOTBALL—BOWL CHAMPIONSHIP SERIES FAIRNESS

Committee on Energy and Commerce: Subcommittee on Commerce, Trade, and Consumer Protection held a hearing on The Bowl Championship Series: Money and Other Issues of Fairness for Publicly Financed Universities. Testimony was heard from the following: John D. Swofford, Commissioner, Atlantic Coast Conference; Craig Thompson, Commissioner, West Mountain Conference; Derrick Fox, President and CEO, Valero Alamo Bowl, Football Bowl Alliance; Craig Thompson, Commissioner, West Mountain Conference; and Gene Bleymaier, Athletic Director, Boise State University.

CYBER NETWORK THREATS/POLICY CHALLENGES

Committee on Energy and Commerce: Subcommittee on Communications, Technology and the Internet held a hearing on Cybersecurity: Network Threats and Policy Challenges. Testimony was heard from public witnesses.

Joint Meetings

No joint committee meetings were held.

CONGRESSIONAL PROGRAM AHEAD

Week of May 4 through May 9, 2009

Senate Chamber

On *Monday*, at approximately 3 p.m., Senate will resume consideration of S. 896, Helping Families Save Their Homes Act, and after a period of debate, vote on or in relation to Vitter Amendments No. 1016 (to Amendment No. 1018) and 1017 (to Amendment No. 1018) at 5:30 p.m.

During the balance of the week, Senate may consider any cleared legislative and executive business.

Senate Committees

(Committee meetings are open unless otherwise indicated)

Committee on Agriculture, Nutrition, and Forestry: May 7, to hold hearings to examine the nominations of Krysta Harden, of Virginia, to be Assistant Secretary, Rajiv J. Shah, of Washington, to be Under Secretary for Research, Education, and Economics, and Dallas P. Tonsager, of South Dakota, to be Under Secretary for Rural Development, all of the Department of Agriculture, 10:30 a.m., SR-328A.

Committee on Appropriations: May 6, Subcommittee on Energy and Water Development, to hold hearings to examine the range of innovative, non-geologic applications

for the beneficial reuse of carbon dioxide from coal and other fossil fuel facilities, 9 a.m., SD-192.

May 7, Subcommittee on Commerce, Justice, Science, and Related Agencies, to hold an oversight hearing to examine funding of the Department of Justice, 10 a.m., SD-192.

May 7, Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies, to hold hearings to examine the 2009 H1N1 virus, 10 a.m., SD-124.

May 7, Subcommittee on Legislative Branch, to hold hearings to examine proposed budget estimates for fiscal year 2010 for the Office of the Architect of the Capitol, and the Office of Compliance, 2:30 p.m., SD-138.

Committee on Armed Services: May 5, to hold hearings to examine ongoing efforts to combat piracy on the high seas, 9:30 a.m., SR-325.

May 6, Subcommittee on Strategic Forces, to receive a closed briefing to examine space issues, 2:15 p.m., SVC-217.

May 7, Full Committee, to hold hearings to examine the report of the Congressional Commission on the Strategic Posture of the United States, 9:30 a.m., SH-216.

Committee on Banking, Housing, and Urban Affairs: May 6, to hold hearings to examine regulating and resolving institutions considered to be too big to fail, 9:30 a.m., SD-538.

May 7, Subcommittee on Securities, Insurance and Investment, to hold hearings to examine strengthening the Securities and Exchange Commission's enforcement responsibilities, 2:30 p.m., SD-538.

Committee on Commerce, Science, and Transportation: May 5, Subcommittee on Surface Transportation and Merchant Marine, to hold hearings to examine piracy on the high seas, focusing on protecting our ships, crews, and passengers, 3 p.m., SR-253.

May 6, Subcommittee on Communications and Technology, to hold hearings to examine the future of journalism, 2:30 p.m., SR-253.

Committee on Energy and Natural Resources: May 5, to hold hearings to examine the nominations of Daniel B. Poneman, to be Deputy Secretary, David B. Sandalow, to be Assistant Secretary for International Affairs and Domestic Policy, both of the Department of Energy, and Rhea S. Suh, to be Assistant Secretary, and Michael L. Connor, to be Commissioner of Reclamation, both of the Department of the Interior, 9:45 a.m., SD-366.

May 6, Full Committee, business meeting to consider pending legislation on siting of interstate electric transmission facilities, energy finance, and nuclear energy, 10 a.m., SD-366.

May 7, Full Committee, to hold hearings to examine a joint staff draft related to cybersecurity and critical electricity infrastructure, 10 a.m., SD-366.

May 7, Subcommittee on Energy, to hold hearings to examine net metering, interconnection standards, and other policies that promote the deployment of distributed generation to improve grid reliability, increase clean energy deployment, enable consumer choice, and diversify our nation's energy supply, 2:30 p.m., SD-366.

Committee on Finance: May 5, to hold hearings to examine expanding health care coverage; to be followed by a business meeting to consider the nomination of Alan Krueger, to be Assistant Secretary of the Treasury for Economic Policy, 10 a.m., SD-106.

May 7, Full Committee, to hold hearings to examine auctioning under cap and trade, focusing on design, participation, and distribution of revenues, 10 a.m., SD-215.

May 8, Full Committee, to hold hearings to examine the nomination of Neal S. Wolin, of Illinois, to be Deputy Secretary of the Treasury, 10 a.m., SD-215.

Committee on Foreign Relations: May 5, to hold hearings to examine the global implications of a warming arctic, Time to be announced, SD-419.

May 5, Full Committee, business meeting to consider pending calendar business, 2:15 p.m., S-116, Capitol.

May 6, Full Committee, to hold hearings to examine engaging Iran, focusing on obstacles and opportunities, 9:30 a.m., SD-419.

May 6, Subcommittee on European Affairs, to hold hearings to examine NATO post-60, focusing on institutional challenges moving forward, 2:30 p.m., SD-419.

Committee on Health, Education, Labor, and Pensions: May 7, to hold hearings to examine the nominations of Seth David Harris, of New Jersey, to be Deputy Secretary, and M. Patricia Smith, of New York, to be Solicitor, both of the Department of Labor, 10 a.m., SD-430.

May 7, Full Committee, to hold hearings to examine the nomination of Margaret A. Hamburg, of the District of Columbia, to be Commissioner of Food and Drugs, Department of Health and Human Services, 2 p.m., SD-430.

Committee on Homeland Security and Governmental Affairs: May 4, business meeting to consider the nominations of Ivan K. Fong, of Ohio, to be General Counsel, and Timothy W. Manning, of New Mexico, to be Deputy Administrator for National Preparedness, Federal Emergency Management Agency, both of the Department of Homeland Security, 5:30 p.m., S-216, Capitol.

May 7, Subcommittee on Oversight of Government Management, the Federal Workforce, and the District of Columbia, to hold hearings to examine recruitment in the federal government, 2:30 p.m., SD-342.

Committee on Indian Affairs: May 7, to hold hearings to examine the nomination of Larry J. Echo Hawk, of Utah, to be Assistant Secretary of the Interior for Indian Affairs, 2:15 p.m., SD-628.

Committee on the Judiciary: May 5, Subcommittee on Terrorism and Homeland Security, to hold hearings to examine the passport insurance process, focusing on ending fraud, 2:30 p.m., SD-226.

May 6, Full Committee, to hold an oversight hearing to examine the Department of Homeland Security, 10 a.m., SD-106.

May 7, Full Committee, business meeting to consider S. 417, to enact a safe, fair, and responsible state secrets privilege Act, S. 257, to amend title 11, United States Code, to disallow certain claims resulting from high cost credit debts, S. 448 and H.R. 985, bills to maintain the free flow of information to the public by providing conditions for the federally compelled disclosure of information

by certain persons connected with the news media, S. 327, to amend the Violence Against Women Act of 1994 and the Omnibus Crime Control and Safe Streets Act of 1968 to improve assistance to domestic and sexual violence victims and provide for technical corrections, 10 a.m., SD-226.

Committee on Veterans' Affairs: May 6, to hold hearings to examine the nominations of Roger W. Baker, of Virginia, to be Assistant Secretary for Information and Technology, William A. Gunn, of Virginia, to be General Counsel, Jose D. Riojas, of Texas, to be Assistant Secretary for Operations, Security, and Preparedness, and John U. Sepulveda, of Virginia, to be Assistant Secretary for Human Resources, all of the Department of Veterans Affairs, 9:30 a.m., SR-418.

Select Committee on Intelligence: May 5, to hold closed hearings to examine certain intelligence matters, 2:30 p.m., S-407, Capitol.

Special Committee on Aging: May 6, to hold hearings to examine solutions to stop Medicare and Medicaid fraud from hurting seniors and taxpayers, 2 p.m., SH-216.

House Committees

Committee on Agriculture, May 5, Subcommittee on Livestock, Dairy, and Poultry and the Subcommittee on Emerging Threats, Cybersecurity, and the Science and Technology of the Committee on Homeland Security, joint hearing to review the National Animal Identification System, 2 p.m., 1300 Longworth.

May 6, Subcommittee on Conservation, Credit, Energy and Research, hearing to review the impact of the indirect land use and renewable biomass provisions in the renewable fuel standard, 11 a.m., 1300 Longworth.

Committee on Appropriations, May 4, Select Intelligence Oversight Panel, executive, on Intelligence Community Research and Development, 5 p.m., H-140 Capitol.

May 5, Subcommittee on Legislative Branch, to continue appropriation hearings, 10 a.m., H-144 Capitol.

May 6, Subcommittee on Legislative Branch, on House of Representatives Budget, 10 a.m., H-144 Capitol.

May 6, Subcommittee on Military Construction, Veterans' Affairs and Related Agencies, on Army Budget, 10 a.m., and on Navy/Marine Corps Budget, 2 p.m., H-143 Capitol.

May 7, full Committee, to mark up the Fiscal Year 2009 Supplemental Appropriations, 10 a.m., 2359 Rayburn.

Committee on Armed Services, May 5, Subcommittee on Air and Land Forces, hearing on the Army National Guard and Air National Guard equipment programs, 2 p.m., 2118 Rayburn.

May 5, Subcommittee on Terrorism, Unconventional Threats and Capabilities, hearing on Cyberspace as a Warfighting Domain: Policy, Management and Technical Challenges to Mission Assurance, 3:30 p.m., 2212 Rayburn.

May 6, full Committee, hearing on the Department of Defense at High Risk: The Chief Management Officer's Recommendations for Acquisition Reform and Related High Risk Areas, 10 a.m., and a hearing on the report

of the Congressional Commission on the Strategic Posture of the United States, 2 p.m., 2118 Rayburn.

May 7, full Committee, to mark up H.R. 2101, Weapons Acquisition System Reform Through Enhancing Technical Knowledge and Oversight Act of 2009, 12 p.m., 2118 Rayburn.

May 7, Subcommittee on Terrorism, Unconventional Threats and Capabilities, hearing on Counterinsurgency and Irregular Warfare: Issues and Lessons Learned, 10 a.m., 2212 Rayburn.

Committee on Education and Labor, May 5, Subcommittee on Higher Education, Lifelong Learning and Competitiveness, to continue hearings on New Innovations and Best Practices under the Workforce Investment Act, 10 a.m., 2175 Rayburn.

May 6, full Committee, to mark up H.R. 2187, 21st Century Green High-Performing Public School Facilities Act, 10 a.m., 2175 Rayburn.

May 7, hearing on Ensuring Preparedness Against the Flu Virus at School and Work, 10 a.m., 2175 Rayburn.

Committee on Energy and Commerce, May 4, Subcommittee on Commerce, Trade and Consumer Protection, hearing on the following measures: Data Accountability and Protection Act and H.R. 1319, Informed P2P User Act, 2 p.m., 2123 Rayburn.

May 7, Subcommittee on Communications, Technology and the Internet, hearing on An Examination of Competition in the Wireless Industry, 10 a.m., 2322 Rayburn.

Committee on Financial Services, May 5, hearing entitled "The Effect of the Lehman Brothers Bankruptcy on State and Local Governments," 10 a.m., 2128 Rayburn.

May 5, Subcommittee on Oversight and Investigations, hearing entitled "The Role of Inspectors General: Minimizing and Mitigating Waste, Fraud and Abuse," 2 p.m., 2128 Rayburn.

May 6, Subcommittee on Housing and Community Opportunity, hearing entitled "Legislative Solutions for Preventing Loan Modification and Foreclosure Rescue Fraud," 10 a.m., 2128 Rayburn.

May 7, Subcommittee on Capital Markets, Insurance, and Government Sponsored Enterprises, hearing entitled "Perspectives on Hedge Fund Registration," 11 a.m., 2128 Rayburn.

Committee on Foreign Affairs, May 5, hearing on From Strategy to Implementation: The Future of the U.S.-Pakistan Relationship, 12:15 p.m., 2172 Rayburn.

May 6, Subcommittee on Africa and Global Health, hearing on Global Health Emergencies Hit Home: The Swine Flu Outbreak, 9 a.m., 2172 Rayburn.

May 7, Subcommittee on Africa and Global Health, hearing on Zimbabwe: Opportunities for a New Way Forward, 10 a.m., 2172 Rayburn.

Committee on Homeland Security, May 7, Subcommittee on Border, Maritime, and Global Counterterrorism, hearing entitled "Implementing the Western Hemisphere Travel Initiative at Land and Sea Ports: Are We Ready?" 10 a.m., 311 Cannon.

Committee on House Administration, May 6, hearing on Necessary Renovations to House Office Buildings, 11 a.m., 1334 Longworth.

Committee on the Judiciary, May 5, Subcommittee on Commercial and Administrative Law, hearing on the Federal Arbitration Act: Is the Credit Card Industry Using It To Quash Legal Claims? 10 a.m., 2141 Rayburn.

May 6, Subcommittee on Crime, Terrorism, and Homeland Security, hearing on Escalating Violence in Mexico and the Southwest Border as a Result of the Illicit Drug Trade, 2 p.m., 2141 Rayburn.

Committee on Natural Resources, May 5, Subcommittee on Insular Affairs, Oceans and Wildlife, hearing on the following bills: H.R. 509, Marine Turtle Conservation Reauthorization Act of 2009; H.R. 556, Southern Sea Otter Recovery and Research Act; and H.R. 1454, Multi-national Species Conservation Funds Semipostal Stamp Act of 2009, 10 a.m., 1324 Longworth.

May 5, Subcommittee on National Parks, Forests and Public Lands, hearing on H.R. 980, Northern Rockies Ecosystem Protection Act, 2 p.m., 1334 Longworth.

Committee on Oversight and Government Reform, May 5, Subcommittee on Government Management, Organization, and Procurement, hearing entitled "Cybersecurity: Emerging Threats, Vulnerabilities, and Challenges in Securing Federal Information Systems, 2 p.m., 2154 Rayburn.

May 6, full Committee, to consider pending business, 1 p.m., 2154 Rayburn.

May 7, Subcommittee on National Security and Foreign Affairs, hearing entitled "GPS: Can We Avoid A Gap in Service?" 10 a.m., 2154 Rayburn.

Committee on Rules, May 5, to consider H.R. 1728, Mortgage Reform and Anti-Predatory Lending Act, (General Debate Rule) 3 p.m., H-313 Capitol.

May 6, to consider H.R. 1728, Mortgage Reform and Anti-Predatory Lending Act, 3 p.m., H-313 Capitol.

Committee on Science and Technology, May 5, Subcommittee on Energy and Environment, hearing on Expanding Climate Services at the NOAA: Developing the National Climate Service, 10 a.m., 2318 Rayburn.

May 5, Subcommittee on Investigations and Oversight, hearing on Follow the Money Part II: Government and Public Resources for Recovery Act Oversight, 2 p.m., 2318 Rayburn.

Committee on Small Business, May 6, hearing entitled "Legislation to Reauthorize and Modernize SBA's Entrepreneurial Development Programs," 1 p.m., 2360 Rayburn.

May 7, Subcommittee on Finance and Tax, hearing entitled "How the Complexity of the Tax Code Hinders Small Businesses," 10 a.m., 2360 Rayburn.

Committee on Transportation and Infrastructure, May 5, Subcommittee on Economic Development, Public Buildings and Emergency Management, hearing on Tracking Hearing #2:GSA Stimulus Funds-Up, Out, and Creating Jobs, 2 p.m., 2167 Rayburn.

May 7, Subcommittee on Railroads, Pipelines, and Hazardous Materials, hearing on Reauthorization of the Department of Transportation's Hazardous Materials Safety Program, 10 a.m., 2167 Rayburn.

Committee on Veterans' Affairs, May 6, to mark up the following bills: H.R. 23, Belated Thank You to the Merchant Mariners of World War II Act of 2009; H.R. 466, Wounded Veteran Job Security Act; H.R. 1088, Mandatory Veteran Specialist Training Act of 2009; H.R. 1089, Veterans Employment Rights Realignment Act of 2009; and H.R. 1170, To amend chapter 21 of title 38, United States Code, to establish a grant program to encourage the development of new assistive technologies for specially adopted housing, 10 a.m., 334 Cannon.

May 7, Subcommittee on Health, hearing on Assessing CARES and the Future of VA's Health Infrastructure, 10 a.m., 334 Cannon.

Committee on Ways and Means, May 6, to welcome the Secretary of Health and Human Services; and to continue hearings on Health Reform in the 21st Century, 10 a.m., 1100 Longworth.

May 7, hearing on the Financial Status of the Airport and Airway Trust Fund, 10 a.m., 1100 Longworth.

Permanent Select Committee on Intelligence, May 5, executive, briefing on Intelligence for the U.S. Marine Deployment to Afghanistan, 1 p.m., 304 HVC.

May 5, Subcommittee on Oversight and Investigations, executive, briefing on Peru, 9:30 a.m., 304 HVC.

May 6, full Committee, executive, briefing on U.S. Southern Command Update, 12 p.m., 304 HVC.

May 6, Subcommittee on Terrorism Human Intelligence, Analysis, and Counterintelligence, hearing on Russia, 4 p.m., 304 HVC.

Joint Meetings

Joint Economic Committee: May 5, to hold hearings to examine the economic outlook, 10 a.m., SH-216.

Joint Economic Committee: May 8, to hold hearings to examine the employment situation for April 2009, 9:30 a.m., SD-106.

Next Meeting of the SENATE

2 p.m., Monday, May 4

Next Meeting of the HOUSE OF REPRESENTATIVES

12:30 p.m., Monday, May 4

Senate Chamber

Program for Monday: After the transaction of any morning business (not to extend beyond one hour), Senate will resume consideration of S. 896, Helping Families Save Their Homes Act, and after a period of debate, vote on or in relation to Vitter Amendments No. 1016 (to Amendment No. 1018) and 1017 (to Amendment No. 1018) at 5:30 p.m.

House Chamber

Program for Monday: To be announced.



Congressional Record

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