

# Daily Digest

## Senate

### Chamber Action

*Routine Proceedings, pages S5543–S5563*

**Measures Introduced:** Eight bills were introduced, as follows: S. 1059–1066. **Page S5555**

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

Transmitting, pursuant to law, a report on the continuation of the national emergency that was originally declared in Executive Order 13047 of May 20, 1997, with respect to Burma, as received during an adjournment of the Senate on May 15, 2009; which was referred to the Committee on Banking, Housing, and Urban Affairs. (PM–19) **Page S5553**

**Gensler Nomination—Agreement:** A unanimous-consent-time agreement was reached providing that on Tuesday, May 19, 2009, following disposition of H.R. 627, Senate begin consideration of the nomination of Gary Gensler, of Maryland, to be a Commissioner of the Commodity Futures Trading Commission, and that there be 60 minutes of debate with respect to the nomination, with the time equally divided and controlled between Senators Harkin or Chambliss, or their designees, with Senators Cantwell, Cardin, and Sanders each controlling 5 minutes of the Majority's time; provided that at 2:15 p.m., Senate vote on confirmation thereon; provided further, that upon confirmation of the nomination, Senate begin consideration of the nomination of Gary Gensler, of Maryland, to be Chairman of the Commodity Futures Trading Commission, and that the nomination be confirmed. **Pages S5561–62**

**Nominations Confirmed:** Senate confirmed the following nominations:

Margaret A. Hamburg, of the District of Columbia, to be Commissioner of Food and Drugs, Department of Health and Human Services.

John U. Sepulveda, of Virginia, to be an Assistant Secretary of Veterans Affairs (Human Resources).

Robert O. Work, of Virginia, to be Under Secretary of the Navy.

Raymond Edwin Mabus, Jr., of Mississippi, to be Secretary of the Navy.

Rhea S. Suh, of California, to be an Assistant Secretary of the Interior.

David B. Sandalow, of the District of Columbia, to be an Assistant Secretary of Energy (International Affairs and Domestic Policy).

Daniel B. Poneman, of Virginia, to be Deputy Secretary of Energy.

Neal S. Wolin, of Illinois, to be Deputy Secretary of the Treasury.

Jose D. Riojas, of Texas, to be an Assistant Secretary of Veterans Affairs (Operations, Security, and Preparedness).

William A. Gunn, of Virginia, to be General Counsel, Department of Veterans Affairs.

Roger W. Baker, of Virginia, to be an Assistant Secretary of Veterans Affairs (Information and Technology).

Thomas R. Lamont, of Illinois, to be an Assistant Secretary of the Army.

Paul N. Stockton, of California, to be an Assistant Secretary of Defense.

Andrew Charles Weber, of Virginia, to be Assistant to the Secretary of Defense for Nuclear and Chemical and Biological Defense Programs.

Charles A. Blanchard, of Arizona, to be General Counsel of the Department of the Air Force.

**Page S5561**

**Nominations Received:** Senate received the following nominations:

Zachary J. Lemnios, of Massachusetts, to be Director of Defense Research and Engineering.

Anthony W. Miller, of California, to be Deputy Secretary of Education.

Richard G. Newell, of North Carolina, to be Administrator of the Energy Information Administration.

Rosa Gumataotao Rios, of California, to be Treasurer of the United States.

2 Army nominations in the rank of general.

1 Navy nomination in the rank of admiral.

Routine lists in the Air Force, Army, and Coast Guard.

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**Messages from the House:**

**Page S5553**

**Measures Referred:**

**Pages S5553–54**

Executive Communications:	Pages S5554–55
Executive Reports of Committees:	Page S5555
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Notices of Hearings/Meetings:	Page S5561
Privileges of the Floor:	Page S5561
<b>Adjournment:</b> Senate convened at 2 p.m. and adjourned at 6:13 p.m., until 10 a.m. on Tuesday, May 19, 2009. (For Senate's program, see the remarks of	

the Acting Majority Leader in today's Record on page S5562.)

## Committee Meetings

(Committees not listed did not meet)

### BUSINESS MEETING

*Committee on Armed Services:* On Friday, May 15, 2009, committee announced the following subcommittee assignments:

*Subcommittee on Strategic Forces:* Senators Nelson (FL) (Chair), Byrd, Reed, Nelson (NE), Udall (CO), Begich, Vitter, Sessions, Inhofe, and Graham.

# House of Representatives

## Chamber Action

**Public Bills and Resolutions Introduced:** 17 public bills, H.R. 2455–2471; and 6 resolutions, H. Con. Res. 128; and H. Res. 451–455 were introduced.

Pages H5711–12

**Additional Cosponsors:** Pages H5712–13

**Reports Filed:** Reports were filed today as follows:

H. Res. 450, waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules (H. Rept. 111–113);

H.R. 855, to elevate the Inspector General of certain Federal entities to an Inspector General appointed pursuant to section 3 of the Inspector General Act of 1978, with an amendment (H. Rept. 111–114);

H.R. 2182, to amend the American Recovery and Reinvestment Act of 2009 to provide for enhanced State and local oversight of activities conducted pursuant to such Act (H. Rept. 111–115);

H.R. 626, to provide that 4 of the 12 weeks of parental leave made available to a Federal employee shall be paid leave (H. Rept. 111–116, Pt. 1); and

H.R. 1676, to prevent tobacco smuggling and to ensure the collection of all tobacco taxes, with an amendment (H. Rept. 111–117).

Page H5711

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

Page H5673

**Recess:** The House recessed at 12:38 p.m. and reconvened at 2 p.m.

**Suspensions:** The House agreed to suspend the rules and pass the following measures:

*Congratulating the University of California, Davis, for a century as a premier public research university and one of our Nation's finest institutions of higher education:* H. Res. 448, to congratulate the University of California, Davis, for a century as a premier public research university and one of our Nation's finest institutions of higher education;

Pages H5675–76

*Commending the University of Georgia Gymnastics Team for winning the 2009 NCAA National Championship:* H. Res. 386, amended, to commend the University of Georgia Gymnastics Team for winning the 2009 NCAA National Championship;

Pages H5676–77

*Congratulating Camp Dudley YMCA of Westport, New York, on the occasion of its 125th anniversary:* H. Res. 300, amended, to congratulate Camp Dudley YMCA of Westport, New York, on the occasion of its 125th anniversary, by a  $\frac{2}{3}$  yeand-nay vote of 388 yeas with none voting "nay", Roll No. 267;

Pages H5677–79

*Congratulating Averett University in Danville, Virginia, for 150 years of service and leadership to the United States:* H. Res. 347, to congratulate Averett University in Danville, Virginia, for 150 years of service and leadership to the United States;

Pages H5681–82

*Recognizing the importance of the Child and Adult Care Food Program and its positive effect on the lives of low income children and families:* H. Res. 442, to recognize the importance of the Child

and Adult Care Food Program and its positive effect on the lives of low income children and families, by a  $\frac{2}{3}$  ye-a-and-nay vote of 377 yeas to 10 nays, Roll No. 269; **Pages H5682–83**

*Expressing support for designation of September as “National Child Awareness Month”*: H. Res. 438, to express support for designation of September as “National Child Awareness Month”; and

**Pages H5685–86**

*Fraud Enforcement and Recovery Act of 2009*: Agreed to the Senate amendment to the House amendments to S. 386, to improve enforcement of mortgage fraud, securities and commodities fraud, financial institution fraud, and other frauds related to Federal assistance and relief programs and for the recovery of funds lost to these frauds, by a  $\frac{2}{3}$  ye-a-and-nay vote of 338 yeas to 52 nays, Roll No. 268.

**Pages H5686–88**

**Recess**: The House recessed at 3:23 p.m. and reconvened at 6:33 p.m. **Page H5688**

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

*Recognizing May 25, 2009, as National Missing Children’s Day*: H. Res. 297, to recognize May 25, 2009, as National Missing Children’s Day and

**Pages H5679–81**

*Recognizing the roles and contributions of America’s teachers to building and enhancing our Nation’s civic, cultural, and economic well-being*: H. Res. 374, to recognize the roles and contributions of America’s teachers to building and enhancing our Nation’s civic, cultural, and economic well-being.

**Pages H5683–85**

**Presidential Message**: Read a message from the President wherein he notified Congress that the national emergency declared with respect to Burma is to continue for 1 year beyond May 20, 2009—referred to the Committee on Foreign Affairs and ordered printed (H. Rept. 111–39). **Page H5674**

**Quorum Calls—Votes**: Three ye-a-and-nay votes developed during the proceedings of today and appear on pages H5688–89, H5689 and H5689–90. There were no quorum calls.

**Adjournment**: The House met at 12:30 p.m. and adjourned at 10:39 p.m.

## Committee Meetings

### NATIONAL INTELLIGENCE PROGRAM AND MILITARY INTELLIGENCE PROGRAM

*Committee on Appropriations*: Select Intelligence Oversight Panel met in executive session on National In-

telligence Program and Military Intelligence Program. Testimony was heard from departmental witnesses.

### AMERICAN CLEAN ENERGY AND SECURITY ACT OF 2009

*Committee on Energy and Commerce*: Began markup of H.R. 2454, American Clean Energy and Security Act of 2009.

Will continue tomorrow.

### AUTO SAFETY

*Committee on Energy and Commerce*: Subcommittee on Commerce, Trade, and Consumer Protection held a hearing entitled “Auto Safety: Existing Mandates and Emerging Issues.” Testimony was heard from Ronald L. Medford, Acting Deputy Administrator, National Highway Traffic Safety Administration; Kathryn O’Leary Higgins, member, National Transportation Safety Board; and public witnesses.

### SAME-DAY CONSIDERATION OF CERTAIN RESOLUTIONS REPORTED BY THE RULES COMMITTEE

*Committee on Rules*: Granted, by a non-record vote, a rule waiving clause 6(a) of rule XIII (requiring a two-thirds vote to consider a rule on the same day it is reported from the Rules Committee) against certain rules reported from the Rules Committee. The rule applies the waiver to any rule reported on the legislative day of May 19, 2009, providing for consideration or disposition of S. 896, a bill to prevent mortgage foreclosures and enhance mortgage credit availability.

### WHITE HOUSE CONFERENCE ON FOOD AND NUTRITION

*Committee on Rules*: Subcommittee on Rules and Organization of the House held a hearing on H.R. 2297, The White House Conference on Food and Nutrition. Testimony was heard from Representative Emerson; and public witnesses.

## 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. D552)

S. 735, to ensure States receive adoption incentive payments for fiscal year 2008 in accordance with the Fostering Connections to Success and Increasing Adoptions Act of 2008. Signed on May 15, 2009. (Public Law 111–20)

COMMITTEE MEETINGS FOR TUESDAY,  
MAY 19, 2009

(Committee meetings are open unless otherwise indicated)

Senate

*Committee on Appropriations:* Subcommittee on Energy and Water Development, to hold hearings to examine funding and oversight of the Department of Energy, 10:15 a.m., SD-138.

Subcommittee on Military Construction and Veterans Affairs, and Related Agencies, to hold hearings to examine proposed budget estimates for fiscal year 2010 for the Department of Defense and the Department of the Navy military construction programs, 2:30 p.m., SD-138.

*Committee on Armed Services:* to hold hearings to examine the Department of the Army proposed defense authorization request for fiscal year 2010 and the Future Years Defense Program, 9:30 a.m., SH-216.

*Committee on Commerce, Science, and Transportation:* to hold hearings to examine the nominations of J. Randolph Babbitt, of Virginia, to be Administrator of the Federal Aviation Administration, and John D. Porcari, of Maryland, to be Deputy Secretary, both of the Department of Transportation, Rebecca M. Blank, of Maryland, to be Under Secretary for Economic Affairs, and Lawrence E. Strickling, of Illinois, to be Assistant Secretary for Communications and Information, both of the Department of Commerce, and Aneesh Chopra, of Virginia, to be Chief Technology Officer, Office of Science and Technology Policy at the Executive Office of the President, 11 a.m., SR-253.

*Committee on Energy and Natural Resources:* business meeting to consider S. 967, to amend the Energy Policy and Conservation Act to create a petroleum product reserve, 2:15 p.m., SD-366.

*Committee on Environment and Public Works:* to hold hearings to examine business opportunities and climate policy, 10 a.m., SD-406.

*Committee on Foreign Relations:* business meeting to consider the nominations of Philip J. Crowley, of Virginia, to be Assistant Secretary for Public Affairs, and Jeffrey D. Feltman, of Ohio, to be Assistant Secretary for Near Eastern Affairs, both of the Department of State, and Daniel Benjamin, of the District of Columbia, to be Coordinator for Counterterrorism, with the rank and status of Ambassador at Large, 10 a.m., S-116, Capitol.

Full Committee, to hold hearings to examine pathways to a green global economic recovery, 2 p.m., SD-419.

*Committee on Health, Education, Labor, and Pensions:* business meeting to consider S. 982, to protect the public health by providing the Food and Drug Administration with certain authority to regulate tobacco products, and any pending nominations, 2:30 p.m., SD-430.

*Committee on Homeland Security and Governmental Affairs:* Subcommittee on Oversight of Government Management, the Federal Workforce, and the District of Columbia, to hold hearings to examine public health challenges in our nation's capital, 2:30 p.m., SD-342.

*Committee on the Judiciary:* Subcommittee on Administrative Oversight and the Courts, to hold hearings to ex-

amine protecting Americans, focusing on holding foreign manufacturers accountable, 10 a.m., SD-226.

Subcommittee on Antitrust, Competition Policy and Consumer Rights, to hold hearings to examine the Discount Pricing Consumer Protection Act, focusing on a ban on vertical price fixing, 2:30 p.m., SD-226.

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

House

*Committee on Appropriations,* Subcommittee on Financial Services, General Government and Related Agencies, on IRS, 10 a.m., 2358A Rayburn, and on National Archives, 2 p.m., B-308 Rayburn.

Subcommittee on Interior, Environment and Related Agencies, on EPA, 9:15 a.m., 2359 Rayburn.

Subcommittee on Military Construction, Veterans Affairs, and Related Agencies, on Department of Defense Overview, 10 a.m., H-143 Capitol.

*Committee on Armed Services,* hearing on hearing on the Fiscal Year 2010 National Defense Authorization Budget Request from the Department of the Air Force, 10 a.m., 2118 Rayburn.

Defense Acquisition Panel, hearing on Measuring Performance: Developing Good Acquisition Metrics, 8 a.m., 2212 Rayburn.

Subcommittee on Seapower, and Expeditionary Forces, hearing on Fiscal Year 2010 National Defense Authorization Budget Request for the Department of the Navy Aviation Programs, 2 p.m., 2212 Rayburn.

*Committee on Education and Labor,* hearing on Examining the Abusive and Deadly Use of Seclusion and Restraint in Schools, 10 a.m., 2175 Rayburn.

*Committee on Energy and Commerce,* to continue markup of H.R. 2454. American Clean Energy and Security Act of 2009, 10 a.m., 2123 Rayburn.

*Committee on Financial Services,* hearing entitled "Capital Loss, Corruption and the Role of Western Financial Institutions," 10 a.m., 2128 Rayburn.

Subcommittee on Capital Markets, Insurance, and Government Sponsored Enterprises, hearing entitled "Approaches to Improving Credit Rating Agency Regulation," 2 p.m., 2128 Rayburn.

*Committee on Homeland Security,* to consider H. Res. 404, Directing the Secretary of Homeland Security to transmit to the House of Representatives, not later than 14 days after the date of the adoption of this resolution, copies of documents relating to the Department of Homeland Security Intelligence Assessment titled, "Rightwing Extremism: Current Economic and Political Climate Fueling Resurgence in Radicalization and Recruitment," 10 a.m., 311 Cannon.

*Committee on the Judiciary,* Subcommittee on Commercial and Administrative Law, to mark up H.R. 1478, Carmelo Rodriguez Military Medical Accountability Act of 2009, 11 a.m., 2141 Rayburn.

Subcommittee on Courts and Competition Policy, hearing on H.R. 233, Railroad Antitrust Enforcement Act of 2009, 2:30 p.m., 2141 Rayburn.

*Committee on Natural Resources*, Subcommittee on Insular Affairs, Oceans and Wildlife, oversight hearing on Implementation of Public Law 110–229 to the Commonwealth of the Northern Mariana Islands and Guam, 10 a.m., 1324 Longworth.

*Committee on Oversight and Government Reform*, Subcommittee on Domestic Policy, hearing entitled “ONDCP’s Fiscal Year 2010 National Drug Control Budget and the Priorities, Objectives, and Policies of the Office of National Drug Control Policy under the New Administration,” 2 p.m., 2154 Rayburn.

Subcommittee on Government Management, Organization, and Procurement, hearing entitled “The State of Federal Information Security,” 9 a.m., 2247 Rayburn.

Subcommittee on National Security and Foreign Affairs, hearing on Afghanistan and Pakistan: Resourcing the Civilian Surge, 10 a.m., 2154 Rayburn.

*Committee on Rules*, to consider H.R. 2352, Job Creation Through Entrepreneurship Act of 2009, 5 p.m., H–313 Capitol.

*Committee on Science and Technology*, hearing on NASA’s Fiscal Year 2010 Budget Request, 2 p.m., 2318 Rayburn.

Subcommittee on Investigations and Oversight, hearing on the Science of Insolvency, 10 a.m., 2318 Rayburn.

*Committee on Transportation and Infrastructure*, Subcommittee on Water Resources and Environment, hearing on Recommendations of the National Committee on Levee Safety, 2 p.m., 2167 Rayburn.

*Committee on Veterans’ Affairs*, Subcommittee on Health, hearing on VA Medical Care: The Crown Jewel and Best Kept Secret, 2 p.m., 334 Cannon.

Subcommittee on Oversight and Investigations, hearing on Gulf War Illness Research: Is Enough Being Done? 10 a.m., 334 Cannon.

*Committee on Ways and Means*, Subcommittee on Social Security, hearing on Social Security Administration’s (SSA’s) employment support programs for disability beneficiaries, including the Ticket to Work Program, 2 p.m., 1100 Longworth.

*Permanent Select Committee on Intelligence*, executive, briefing on Overhead Architecture, 1 p.m., 314 HVC.

## Next Meeting of the SENATE

10 a.m., Tuesday, May 19

## Next Meeting of the HOUSE OF REPRESENTATIVES

10:30 a.m., Tuesday, May 19

## Senate Chamber

**Program for Tuesday:** Senate will resume consideration of H.R. 627, Credit Cardholders' Bill of Rights Act, vote on the motion to invoke cloture on Dodd/Shelby Amendment No. 1058, and if cloture is invoked, vote on pending amendments and passage of the bill. Also, Senate will begin consideration of the nomination of Gary Gensler, of Maryland, to be a Commissioner of the Commodity Futures Trading Commission, and vote on the confirmation thereon.

*(Senate will recess from 12:30 p.m. until 2:15 p.m. for their respective party conferences.)*

## Chamber

**Program for Tuesday:** Consideration of the following suspensions: (1) H.R. 2182—Enhanced Oversight of State and Local Economic Recovery Act; (2) H.R. 466—Wounded Veteran Job Security Act; (3) 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 adapted housing; (4) H.R. 1088—Mandatory Veteran Specialist Training Act; (5) H.R. 1089—Veterans Employment Rights Realignment Act of 2009; (6) H. Res. 360—Urging all Americans and people of all nationalities to visit the national cemeteries, memorials, and markers on Memorial Day; (7) H. Con. Res. 120—Supporting the goals and ideals of National Women's Health Week; (8) H.R. 1676—PACT Act; and (9) H. Res. 426—Honoring police officers and law enforcement professionals during Police Week.

## Extensions of Remarks as inserted in this issue

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