

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

D.C. OPPORTUNITY SCHOLARSHIP PROGRAM

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

NOMINATIONS

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

BUSINESS MEETING

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

TORTURE

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

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

MILITARY AND OVERSEAS VOTERS

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

SMALL BUSINESS FINANCING

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

House of Representatives

Chamber Action

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

Additional Cosponsors: **Pages H5581–82**

Report Filed: A report was filed today as follows:

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

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

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

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

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

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

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

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

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

Agreed to:

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

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

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

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

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

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

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

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

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

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

Pages H5511–12, H5521

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

Pages H5512–13, H5521–22

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

Pages H5513, H5523–24

Proceedings Postponed:

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

Pages H5514–15

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

Pages H5516–17

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

Pages H5517–18

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

Pages H5492–98

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

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

Pages H5524–30, H5538–39

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

Page H5539

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

Pages H5549–50

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

Page H5550

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

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

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

Pages H5530–31

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

Pages H5531–34

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

Pages H5534–38

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

Page H5550

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

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

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

Committee Meetings

AGRICULTURE, RURAL DEVELOPMENT, FDA, AND RELATED AGENCIES APPROPRIATIONS

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

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

INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS

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

MILITARY CONSTRUCTION, VETERANS AFFAIRS AND RELATED AGENCIES APPROPRIATIONS

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

STATE, FOREIGN OPERATIONS, AND RELATED PROGRAMS APPROPRIATIONS

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

DEFENSE BUDGET

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

ENERGY DEPARTMENT NATIONAL SECURITY BUDGET

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

PREVENTING FORECLOSURES

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