

Daily Digest

HIGHLIGHTS

Senate passed H.R. 4899, Emergency Supplemental Appropriations Act, as amended.

Senate agreed to H. Con. Res. 282, Adjournment Resolution.

Senate

Chamber Action

Routine Proceedings, pages S4473–S4562

Measures Introduced: Twenty-one bills and six resolutions were introduced, as follows: S. 3432–3452, S. Res. 541–545, and S. Con. Res. 64.

Pages S4528–29

Measures Reported:

H.R. 553, to require the Secretary of Homeland Security to develop a strategy to prevent the over-classification of homeland security and other information and to promote the sharing of unclassified homeland security and other information, with an amendment in the nature of a substitute. (S. Rept. No. 111–200)

H.R. 4506, to authorize the appointment of additional bankruptcy judges. **Pages S4527–28**

Measures Passed:

Emergency Supplemental Appropriations Act: By 67 yeas to 28 nays (Vote No. 176), Senate passed H.R. 4899, making emergency supplemental appropriations for disaster relief and summer jobs for the fiscal year ending September 30, 2010, after agreeing to the committee amendment in the nature of a substitute, an amendment to the title, and taking action on the following amendments proposed there-to: **Pages S4474–S4507**

Adopted:

By 60 yeas to 37 nays (Vote No. 173), Collins Amendment No. 4253, to prohibit the imposition of fines and liability under certain final rules of the Environmental Protection Agency.

Pages S4475, S4491–96, S4501–02

By 60 yeas to 35 nays (Vote No. 174), Inouye Amendment No. 4299, to allow unobligated balances in the Construction, Major Projects account to be utilized for major medical facility projects of the

Department of Veterans Affairs otherwise authorized by law. **Pages S4502–03**

Inouye (for Reid) Amendment No. 4178, to facilitate a transmission line project. **Page S4503**

Inouye (for Levin) Amendment No. 4205, to make a technical correction. **Pages S4503–04**

Inouye (for McCain) Amendment No. 4217, to provide for the submittal of the charter and reports on the High-Value Detainee Interrogation Group to additional committees of Congress. **Page S4504**

Inouye (for Webb) Amendment No. 4222, to limit the use of funds for the Department of Veterans Affairs for the presumption of service-connection between exposure of veterans to Agent Orange during service in Vietnam and certain additional diseases until the period for disapproval by Congress of the regulation establishing such presumption has expired. **Page S4504**

Inouye (for Wicker) Amendment No. 4224, to make a technical correction related to Amtrak security in the Consolidated Appropriations Act, 2010. **Page S4504**

Inouye (for Leahy) Amendment No. 4245, to add a provision relating to commitments of resources by foreign governments. **Page S4504**

Inouye (for Leahy) Amendment No. 4246, to strike a technical clarification. **Page S4504**

Inouye (for Leahy) Amendment No. 4249, to modify a condition on the availability for funds to support the work of the Independent Electoral Commission and the Electoral Complaints Commission in Afghanistan. **Page S4504**

Inouye (for Lugar) Amendment No. 4260, to clarify that non-military projects in the former Soviet Union for which funding is authorized by this Act for the purpose of engaging scientists and engineers shall be executed through existing science and technology centers. **Page S4504**

Inouye (for Sanders) Amendment No. 4280, to require the Administrator of General Services to make publicly available the contractor integrity and performance database established under the Clean Contracting Act of 2008. **Page S4504**

Inouye (for Landrieu) Further Modified Amendment No. 4184, to require the Secretary of the Army to maximize the placement of dredged material available from maintenance dredging of existing navigation channels to mitigate the impacts of the Deepwater Horizon Oil spill in the Gulf of Mexico at full Federal expense. **Pages S4475, S4503, S4504**

Inouye (for Bond/Coburn) Amendment No. 4259, to require assessments on the detainees at United States Naval Station, Guantanamo Bay, Cuba. **Page S4504**

Inouye (for Isakson/Chambliss) Amendment No. 4255, to make a technical correction. **Pages S4504–05**

Inouye (for Leahy) Amendment No. 4248, to authorize the Secretary of State to award task orders for police training in Afghanistan under current Department of State contracts for police training. **Page S4505**

Inouye (for Byrd) Amendment No. 4200, to make a technical correction. **Page S4505**

Inouye (for Landrieu) Modified Amendment No. 4213, to provide authority to the Secretary of the Interior to immediately fund projects under the Coastal Impact Assistance Program on an emergency basis. **Pages S4474 S4505**

Inouye (for Merkley) Further Modified Amendment No. 4251, to provide funds for drought relief, with an offset. **Pages S4505, S4506**

Inouye (for Shelby/Vitter) Modified Amendment No. 4287, to provide fisheries disaster relief, conduct a study on ecosystem services, and conduct an enhanced stock assessment for Gulf of Mexico fisheries impacted by the Deepwater Horizon oil discharge. **Pages S4505–06**

Rejected:

By 18 yeas to 80 nays (Vote No. 168), Feingold Amendment No. 4204, to require a plan for safe, orderly, and expeditious redeployment of the United States Armed Forces from Afghanistan. **Pages S4474, S4481–82**

Coburn/McCain Modified Amendment No. 4231, to pay for the costs of supplemental spending by reducing waste, inefficiency, and unnecessary spending within the Federal Government. (By 53 yeas to 45 nays (Vote No. 169), Senate tabled the amendment.) **Pages S4475, S4482–83**

Coburn/McCain Amendment No. 4232, to pay for the costs of supplemental spending by reducing Congress' own budget and disposing of unneeded Federal property and uncommitted Federal funds. (By 50

yeas to 47 nays (Vote No. 170), Senate tabled the amendment.) **Pages S4475, S4483**

By 37 yeas to 58 nays (Vote No. 175), Burr Amendment No. 4273, to strike section 901, relating to the transfer of amounts to the Filipino Veterans Equity Compensation Fund. **Pages S4502–03**

Withdrawn:

McCain Amendment No. 4214, to provide for the National Guard support to secure the southern land border of the United States. **Pages S4474, S4475–79**

Kyl/McCain Modified Amendment No. 4228 (to Amendment No. 4202), to appropriate \$200,000,000 to increase resources for the Department of Justice and the Judiciary to address illegal crossings of the Southwest border, with an offset. **Pages S4475, S4479–81**

Cornyn/Kyl Further Modified Amendment No. 4202, to make appropriations to improve border security, with an offset from unobligated appropriations under division A of Public Law 111–5. **Pages S4474, S4479**

Isakson/Chambliss Amendment No. 4221, to include the 2009 flooding in the Atlanta area as a disaster for which certain disaster relief is available. **Pages S4475, S4494**

Reid Amendment No. 4174, to provide collective bargaining rights for public safety officers employed by States or their political subdivisions. **Page S4474**

Sessions/McCaskill Amendment No. 4173, to establish 3-year discretionary spending caps. **Pages S4474, S4496–97**

Wyden/Grassley Amendment No. 4183, to establish as a standing order of the Senate that a Senator publicly disclose a notice of intent to objecting to any measure or matter. **Page S4474**

Lautenberg Modified Amendment No. 4175, to provide that parties responsible for the Deepwater Horizon oil spill in the Gulf of Mexico shall reimburse the general fund of the Treasury for costs incurred in responding to that oil spill. **Page S4475**

Cardin Amendment No. 4191, to prohibit the use of funds for leasing activities in certain areas of the outer Continental Shelf. **Page S4475**

Landrieu/Cochran Amendment No. 4179, to allow the Administrator of the Small Business Administration to create or save jobs by providing interest relief on certain outstanding disaster loans relating to damage caused by the 2005 Gulf Coast hurricanes or the 2008 Gulf Coast hurricanes. **Page S4475**

Landrieu Amendment No. 4180, to defer payments of principal and interest on disaster loans relating to the Deepwater Horizon oil spill. **Page S4475**

Landrieu Amendment No. 4182, to require the Secretary of the Army to use certain funds for the

construction of authorized restoration projects in the Louisiana coastal area ecosystem restoration program.

Page S4475

Landrieu Amendment No. 4234, to establish a program, and to make available funds, to provide technical assistance grants for use by organizations in assisting individuals and businesses affected by the Deepwater Horizon oil spill in the Gulf of Mexico.

Page S4475

Ensign/Reid Amendment No. 4229, to prohibit the transfer of C-130 aircraft from the National Guard to a unit of the Air Force in another State.

Page S4475

Ensign/Reid Modified Amendment No. 4230, to establish limitations on the transfer of C-130H aircraft from the National Guard to a unit of the Air Force in another State.

Page S4475

Menendez Amendment No. 4289 (to Amendment No. 4174), to require oil polluters to pay the full cost of oil spills.

Page S4475

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

By 51 yeas to 46 nays (Vote No. 165), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive pursuant to section 302(f) of the Congressional Budget Act of 1974, with respect to McCain Amendment No. 4214, to provide for the National Guard support to secure the southern land border of the United States. Subsequently, the point of order that the amendment was in violation of section 302(f) of the Congressional Budget Act of 1974, was sustained, and pursuant to the order of May 26, 2010, the amendment was withdrawn.

Page S4479

By 54 yeas to 44 nays (Vote No. 166), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive pursuant to section 403 of S. Con. Res. 13, the Concurrent Resolution on the Budget for Fiscal Year 2010, with respect to Kyl/McCain Modified Amendment No. 4228 (to Amendment No. 4202), to appropriate \$200,000,000 to increase resources for the Department of Justice and the Judiciary to address illegal crossings of the Southwest border, with an offset. Subsequently, the point of order that the amendment was in violation of section 403 of S. Con. Res. 13, the Concurrent Resolution on the Budget for Fiscal Year 2010, was sustained, and pursuant to the order of May 26, 2010, the amendment was withdrawn.

Page S4479

By 54 yeas to 43 nays (Vote No. 167), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive pursuant to section 403 of S. Con. Res. 13, the Concurrent Resolution on the Budget for Fiscal Year 2010, with respect to Cornyn/Kyl Further

Modified Amendment No. 4202, to make appropriations to improve border security, with an offset from unobligated appropriations under division A of Public Law 111-5. Subsequently, the point of order that the amendment was in violation of section 403 of S. Con. Res. 13, the Concurrent Resolution on the Budget for Fiscal Year 2010, was sustained, and pursuant to the order of May 26, 2010, the amendment was withdrawn.

Pages S4480-81

By 69 yeas to 29 nays (Vote No. 171), 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 committee-reported substitute amendment.

Page S4483

By 45 yeas to 52 nays (Vote No. 172), two-thirds of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to suspend Rule XXII for purpose of offering DeMint Amendment No. 4177.

Page S4501

Subsequently, the motion to invoke cloture on the bill was withdrawn.

Page S4501

Senate insisted on its amendments, 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 S4507

Antitrust Criminal Penalty Enhancement and Reform Act: Senate passed H.R. 5330, to amend the Antitrust Criminal Penalty Enhancement and Reform Act of 2004 to extend the operation of such Act, clearing the measure for the President.

Pages S4559-60

American Eagle Day: Senate agreed to S. Res. 542, designating June 20, 2010, as "American Eagle Day", and celebrating the recovery and restoration of the bald eagle, the national symbol of the United States.

Pages S4560-61

National Prader-Willi Syndrome Awareness Month: Senate agreed to S. Res. 543, expressing support for the designation of a National Prader-Willi Syndrome Awareness Month to raise awareness of and promote research on the disorder.

Page S4561

United States Beef Products: Senate agreed to S. Res. 544, supporting increased market access for exports of United States beef and beef products.

Pages S4561-62

Authorize the Production of Records: Senate agreed to S. Res. 545, to authorize the production

of records by the Permanent Subcommittee on Investigations of the Committee on Homeland Security and Governmental Affairs. **Page S4560**

Adjournment Resolution: Senate agreed to H. Con. Res. 282, providing for a conditional adjournment of the House of Representatives and a conditional recess or adjournment of the Senate.

Page S4562

Authorizing Leadership to Make Appointments—Agreement: A unanimous-consent agreement was reached providing that, notwithstanding the recess or 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 S4562**

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

Transmitting, pursuant to law, a report on the National Security Strategy of the United States of America; which was referred to the Committee on Armed Services. (PM-58) **Page S4525**

Nominations Received: Senate received the following nominations:

J. Thomas Dougherty, of Wyoming, to be Ambassador to Burkina Faso.

Eric D. Benjaminson, of Oregon, to be Ambassador to the Gabonese Republic, and to serve concurrently and without additional compensation as Ambassador to the Democratic Republic of Sao Tome and Principe.

Paul M. Tiao, of Maryland, to be Inspector General, Department of Labor.

Robert Anacletus Underwood, of New Jersey, to be a Member of the Board of Directors of the National Board for Education Sciences for a term expiring November 28, 2012.

Anthony Bryk, of California, to be a Member of the Board of Directors of the National Board for Education Sciences for a term expiring November 28, 2011.

Beverly L. Hall, of Georgia, to be a Member of the Board of Directors of the National Board for Education Sciences for a term expiring March 15, 2012.

Kris D. Gutierrez, of Colorado, to be a Member of the Board of Directors of the National Board for Education Sciences for a term expiring November 28, 2012.

James E. Shadid, of Illinois, to be United States District Judge for the Central District of Illinois.

Max Oliver Cogburn, Jr., of North Carolina, to be United States District Judge for the Western District of North Carolina.

William J. Ihlenfeld II, of West Virginia, to be United States Attorney for the Northern District of West Virginia for the term of four years.

John William Vaudreuil, of Wisconsin, to be United States Attorney for the Western District of Wisconsin for the term of four years.

Neile L. Miller, of Maryland, to be Principal Deputy Administrator, National Nuclear Security Administration.

Routine lists in the Marine Corps, and Navy.

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Messages from the House: **Page S4525**

Executive Communications: **Pages S4525–27**

Executive Reports of Committees: **Page S4528**

Additional Cosponsors: **Pages S4529–31**

Statements on Introduced Bills/Resolutions: **Pages S4531–56**

Additional Statements: **Pages S4524–25**

Amendments Submitted: **Pages S4556–59**

Authorities for Committees to Meet: **Page S4559**

Record Votes: Twelve record votes were taken today. (Total—176) **Pages S4479–83, S4501–03, S4507**

Recess: Senate convened at 9:30 a.m. and recessed at 9:53 p.m., until 10 a.m. on Friday, May 28, 2010. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S4562.)

Committee Meetings

(Committees not listed did not meet)

NOMINATIONS

Committee on Agriculture, Nutrition, and Forestry: Committee concluded a hearing to examine the nominations of Elisabeth Ann Hagen, of Virginia, to be Under Secretary for Food Safety, who was introduced by Senator Casey, and Catherine E. Woteki, of the District of Columbia, to be Under Secretary for Research, Education, and Economics, both of the Department of Agriculture, and Sara Louise Faivre-Davis, of Texas, Lowell Lee Junkins, of Iowa, and Myles J. Watts, of Montana, all to be a Member of the Board of Directors of the Federal Agricultural Mortgage Corporation, Farm Credit Administration, after the nominees testified and answered questions in their own behalf.

AUTHORIZATION: NATIONAL DEFENSE

Committee on Armed Services: Committee ordered favorably reported an original bill entitled “National Defense Authorization Act for fiscal year 2011”; and

The nominations of 182 pending military nominations in the Army, Navy, Air Force, and Marine Corps.

BUSINESS MEETING

Committee on Finance: Committee ordered favorably reported the nomination of Sherry Glied, of New York, to be Assistant Secretary of Health and Human Services.

MULTIEMPLOYER PENSION PLANS

Committee on Health, Education, Labor, and Pensions: Committee concluded a hearing to examine building a secure future for multiemployer pension plans, focusing on long-standing challenges that remain for multiemployer pension plans, after receiving testimony from Phyllis C. Borzi, Assistant Secretary of Labor for Employee Benefits Security Administration; Charles A. Jeszeck, Acting Director, Education, Workforce, and Income Security Issues, Government Accountability Office; Thomas C. Nyhan, Central States Southeast and Southwest Areas Pension Fund, Rosemont, Illinois; Randy G. DeFrehn, National Coordinating Committee for Multiemployer Plans (NCCMP), Washington, D.C.; John R. McGowan, Saint Louis University John Cook School of Business, St. Louis, Missouri; and Norman P. Stein, University of Alabama School of Law, Tuscaloosa, on behalf of the Pension Rights Center.

BUSINESS MEETING

Committee on the Judiciary: Committee ordered favorably reported the following business items:

H.R.4506, to authorize the appointment of additional bankruptcy judges; and

The nominations of John A. Gibney, Jr., to be United States District Judge for the Eastern District of Virginia, and Stephanie A. Finley, to be United States Attorney for the Western District of Louisiana, Laura E. Duffy, to be United States Attorney for the Southern District of California, Scott Jerome Parker, to be United States Marshal for the Eastern District of North Carolina, Darryl Keith McPherson, to be United States Marshal for the Northern District of Illinois, and Gervin Kazumi Miyamoto, to be

United States Marshal for the District of Hawaii, all of the Department of Justice, and Daniel J. Becker, of Utah, James R. Hannah, of Arkansas, Gayle A. Nachtigal, of Oregon, John B. Nalbandian, of Kentucky, Marsha J. Rabiteau, of Connecticut, and Hernan D. Vera, of California, all to be a Member of the Board of Directors of the State Justice Institute.

UNITED/CONTINENTAL AIRLINES MERGER

Committee on the Judiciary: Subcommittee on Antitrust, Competition Policy and Consumer Rights concluded a hearing to examine the United/Continental Airlines merger, focusing on how consumers will fare, after receiving testimony from Glenn F. Tilton, UAL Corp, Chicago, Illinois; Jeffery Smisek, Continental Airlines, Inc., and Darren Bush, University of Houston Law Center, on behalf of the American Antitrust Institute, both of Houston, Texas; and William J. McGee, Consumers Union, New York, New York.

BUSINESS MEETING

Committee on Small Business and Entrepreneurship: Committee ordered favorably reported the nomination of Marie Collins Johns, of the District of Columbia, to be Deputy Administrator of the Small Business Administration.

DEEPWATER HORIZON OIL SPILL

Committee on Small Business and Entrepreneurship: Committee resumed hearings to examine the impact of the Deepwater Horizon oil spill on small businesses, after receiving testimony from James Rivera, Associate Administrator, Disaster Assistance, Small Business Administration; Rear Admiral Paul Zukunft, Assistant Commandant, Maritime Safety, Security and Stewardship, United States Coast Guard, Department of Homeland Security; Darryl Willis, BP America, Houston, Texas; Mike Voisin, Motivait Seafoods Inc., Houma, Louisiana; and Carmen Sunda, Louisiana Small Business Development Center, Metairie.

INTELLIGENCE

Select Committee on Intelligence: Committee held closed hearings on intelligence matters, receiving testimony from officials of the intelligence community.

Committee recessed subject to the call.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 32 public bills, H.R. 5421–5452; and 11 resolutions, H. Con. Res. 282–283; and H. Res. 1405–1413 were introduced. **Pages H4021–23, H4082–84**

Additional Cosponsors: **Pages H4023–24, H4084–85**

Report Filed: A report was filed today as follows:

H.R. 5297, to create the Small Business Lending Fund Program to direct the Secretary of the Treasury to make capital investments in eligible institutions in order to increase the availability of credit for small businesses, with an amendment (H. Rept. 111–499). **Pages H4021, H4082**

Chaplain: The prayer was offered by the Guest Chaplain, Reverend Dr. Carl White, Highland Baptist Church, Meridian, MS. **Page H3873**

Adjournment Resolution: The House agreed to H. Con. Res. 282, providing for an adjournment or recess of the two Houses, by a yea-and-nay vote of 230 yeas to 187 nays, Roll No. 306. **Pages H3885–86**

Suspensions—Proceedings Resumed: The House agreed to suspend the rules and agree to the following measures which were debated on Tuesday, May 25th:

Honoring the Centennial Celebration of Women at Marquette University: H. Res. 1161, to honor the Centennial Celebration of Women at Marquette University, the first Catholic university in the world to offer co-education as part of its regular undergraduate program, by a $\frac{2}{3}$ recorded vote of 380 yeas with none voting “no” and 36 voting “present”, Roll No. 308 and **Pages H3887–88**

Honoring the University of Georgia Graduate School on the occasion of its centennial: H. Res. 1372, to honor the University of Georgia Graduate School on the occasion of its centennial, by a $\frac{2}{3}$ recorded vote of 412 yeas with none voting “no” and 1 voting “present”, Roll No. 309. **Pages H3888–89**

National Defense Authorization Act for Fiscal Year 2011: The House began consideration of H.R. 5136, to authorize appropriations for fiscal year 2011 for military activities of the Department of Defense and to prescribe military personnel strengths for such fiscal year. Consideration is expected to resume tomorrow, May 28th.

Pages H3876–85, H3887, H3889–H4019, H4025

Pursuant to the rule, the amendment in the nature of a substitute recommended by the Committee on Armed Services now printed in the bill shall be

considered as an original bill for the purpose of amendment under the five-minute rule. **Page H3900**

Agreed to:

Bartlett amendment (No. 2 printed in H. Rept. 111–498) that prohibits funds authorized to be appropriated in section 101(5) for other procurement, Army, from being obligated or expended by the Secretary of the Army for line-haul tractors unless the source selection is made based on a full and open competition; **Page H3986**

Smith (WA) amendment (No. 3 printed in H. Rept. 111–498) that ensures that the spouse, children and parents of a deployed or deploying member of the Armed Forces, who are not covered under the Family Medical Leave Act, have the ability to take at least two weeks of unpaid leave from their job in order to address issues that arise over the course of a deployment cycle; **Pages H3986–88**

Skelton en bloc amendment No. 1 consisting of the following amendments printed in H. Rept. 111–498: Giffords amendment (No. 9) that authorizes the Secretary of Defense to share with the Department of Homeland Security and the Department of Justice any data gathered during training exercises; Nye amendment (No. 10) that requires the Department of Defense to report to the House Armed Services Committee and the Small Business Committee on their plans to support the Regional Advanced Technology Clusters; Sessions amendment (No. 16) that establishes a 5-year “pay-for-performance” pilot program for the treatment of traumatic brain injuries; Jackson Lee (TX) amendment (No. 24) that requires the Secretary of Defense shall provide, by December 1, 2010, a report to the Congressional Black Caucus that includes a list of minority-owned, women-owned and disadvantaged-owned businesses over the past 10 years who have received contracts resulting from authorized funding to the Department; Watson amendment (No. 36) that inserts language based on H.R. 4900 and H.R. 5247, that contain the following provisions: (1) the establishment of a new National Office for Cyberspace; (2) management and oversight reforms for agency information security programs; (3) security related acquisition requirements for federal information technology investments; (4) the establishment of a federal Chief Technology Officer; and (5) make the Director of the National Office for Cyberspace a member of the National Security Council and grant the office additional government-wide coordinating responsibilities; McMahan amendment (No. 63) that expresses a Sense of Congress to encourage the Secretary of the Navy to name a naval vessel after

Medal of Honor recipient and Navy chaplain, Father Vincent Capodanno; and Tonko amendment (No. 70) that expresses a Sense of Congress encouraging the development of next generation semiconductor technologies;

Pages H3990–H4001

Skelton en bloc amendment No. 2 consisting of the following amendments printed in H. Rept. 111–498: Burton (IN) amendment (No. 20) that expresses the Sense of Congress that the President, as Commander-in-Chief, should treat all military personnel and military families equally and overturn the policy that prohibits sending a presidential letter of condolence to the family of a member of the Armed Forces who has died by suicide; Holden amendment (No. 22) that makes any person who served in combat as a pilot or crew member of a Medevac unit beginning June 25, 1950, eligible for the Combat Medevac Badge; Pomeroy amendment (No. 23) that authorizes the continuation of the Joint Family Support Assistance Program; Latham amendment (No. 26) that expresses the Sense of Congress that an erroneous interpretation of recent changes to age and service requirements for reserve retirement pay should be corrected; Kennedy amendment (No. 27) that adds neurology to the list of selected residency programs at military medical treatment facilities subject to a program review; and Tim Murphy (PA) amendment (No. 45) that directs the Surgeons General of the Army, Navy, and Air Force to submit a report to Congress on whether additional behavioral health professionals are needed to treat members of the Armed Forces for PTSD/TBI, and offer recommendations for ways to provide incentives for health care professionals to join active and reserve components;

Pages H4003–08

Skelton manager's amendment (No. 1 printed in H. Rept. 111–498) that corrects a variety of technical errors in the bill (by a recorded vote of 421 ayes with none voting "no", Roll No. 310);

Pages H3984–86, H4013–14

Marshall amendment (No. 4 printed in H. Rept. 111–498) that expresses the sense of Congress that the Chief of the National Guard Bureau should issue fire-resistant utility ensembles to National Guard personnel who are engaged, or likely to become engaged, in defense support to civil authority missions that routinely involve serious fire hazards, such as wildfire recovery efforts (by a recorded vote of 423 ayes with none voting "no", Roll No. 311);

Pages H3988–90, H4013–14

McGovern amendment (No. 13 printed in H. Rept. 111–498) that includes a Sense of Congress stating that hunger and obesity are impairing military recruitment and must be properly addressed (by a recorded vote of 341 ayes to 85 noes, Roll No. 312);

Pages H4001–03, H4014–15

Andrews en bloc amendment No. 3 consisting of the following amendments printed in H. Rept. 111–498: Pascrell amendment (No. 29) that requires that the same cognitive screening tool be used pre-deployment and post-deployment until a new, comprehensive policy for screening our soldiers to detect cognitive injuries is implemented; Harman amendment (No. 34) that calls for expedited and priority consideration of an application for permanent change of base or unit transfer for victims of sexual assault to reduce the possibility of retaliation against the victim; Brown-Waite amendment (No. 40) that expands the eligibility for the Army Combat Action Badge to those soldiers who served during the dates ranging from December 7, 1941, to September 18, 2001; Space amendment (No. 46) that requires the Secretary of the VA to send an electronic copy of service members' separation paperwork to the States; Walz amendment (No. 48) that revises the language of the Alternative Career Track Pilot Program slightly to ensure officers are not penalized with regards to promotion for participating in the pilot program; Carson amendment (No. 52) that amends the Department of Defense pre-separation counseling program to provide discharging service members and their spouses with financial and job placement counseling; and Hare amendment (No. 54) that directs the Secretary of the Army to deliver a report to Congress that provides a detailed explanation of the Army's Heirloom Chest policy, the Army's plans to continue the Heirloom Chest program, and a cost estimate for the procurement to expand the number of Heirloom Chests to additional family members;

Pages H4015–19

Skelton en bloc amendment No. 4 consisting of the following amendments printed in H. Rept. 111–498: Owens amendment (No. 12) that provides Congress enhanced and updated budget and quantity information on proposed equipment purchases; Polis amendment (No. 17) that clarifies that federal agencies can procure commercially available fuels that have less than a majority proportion of alternative fuels with greater life cycle emissions than traditional petroleum fuels; Dingell amendment (No. 18), as modified, that requires the Secretary of Defense to provide the Agency for Toxic Substances and Disease Registry with information pertaining to Marine Corps Base Camp Lejeune's historic drinking water contamination no later than 90 days after enactment; Jackson Lee (TX) amendment (No. 25) that makes available post-traumatic stress counseling for civilians affected by the Fort Hood shooting, and shootings at other domestic military bases; Etheridge amendment (No. 28) that clarifies that the Department of Defense Office of Economic Adjustment's

existing grant-making authority for community adjustment and economic diversification to assist communities affected by the 2005 Base Realignment and Closure Process includes development assistance; Putnam amendment (No. 35) that expresses a sense of Congress in support of recreational hunting and fishing on military installations; Chandler amendment (No. 37) that strikes section 2412(c), which would prohibit funds from being allocated to the Blue Grass Army Depot Chemical Demilitarization program as it is currently contracted; and Richardson amendment (No. 44) that requires Transportation Command (TRANSCOM) to update the PORT LOOK 2008 Strategic Seaports study; **Pages H4026–31**

Andrews en bloc amendment No. 5 consisting of the following amendments printed in H. Rept. 111–498: Bordallo amendment (No. 5) that incorporates the text of H.R. 44, the Guam World War II Loyalty Recognition Act, into the bill as Title XVII; Coffman amendment (No. 6) that requires the Department of Defense to formulate and submit a plan to establish a domestic source of neodymium iron boron magnets for use in the defense supply chain; Shea-Porter amendment (No. 7) that requires the President to commission a study to assess the need for and implications of a common alignment of world regions in the internal organization of departments and agencies of the Federal government with international responsibilities; Kratovil amendment (No. 11) that clarifies that no funds authorized to be appropriated in this Act or otherwise made available to the Department of Defense shall be used in violation of section 1040 of the National Defense Authorization Act for Fiscal Year 2010; McGovern amendment (No. 14) that requires the President to certify that the Afghanistan Independent Election Commission and the Afghan Electoral Complaints Commission have the professional capacity, legal authority and independence to carry out and oversee free, fair and honest elections, absent the fraud that characterized the 2009 presidential elections, before funds are made available to support the holding of elections in Afghanistan; Conyers amendment (No. 19) that requires the Secretary of Defense, in coordination with the Secretary of State, to issue a report evaluating naval security in the Persian Gulf and the Strait of Hormuz; Lee (CA) amendment (No. 31) that expresses the Sense of Congress that there is potential for additional and significant cost savings through further reductions by the Secretary of Defense in waste, fraud, and abuse and that the Secretary should make implementation of remaining Government Accountability Office recommendations an utmost priority of the Department of Defense; and Schakowsky amendment (No. 33) that requires the Special Inspector General for Afghanistan Recon-

struction to report on existing oversight of contractors in Afghanistan, as well as to make recommendations for increasing oversight, decreasing reliance on contractors responsible for civilian deaths, and preventing contractors responsible for waste, fraud, and abuse from getting future contracts; **Pages H4038–43**

Andrews en bloc amendment No. 6 consisting of the following amendments printed in H. Rept. 111–498: Lipinski amendment (No. 39) that requires the Department of Defense to solicit bids from domestic suppliers when procuring articles, materials, or supplies for use outside of the United States; Braley amendment (No. 41) that requires the Secretary of Defense, with contributions from the Secretary of State and Secretary of Veterans Affairs, to submit a report on the long-term costs of Operation Iraqi Freedom and Operation Enduring Freedom; Murphy (CT) amendment (No. 43) that requires the Department of Defense to include in its yearly assessment of waivers granted under the Buy American Act to include in that report an analysis of the domestic capacity to supply the articles, materials or supplies procured from overseas and an analysis of the reasons for the yearly increase or decrease in Buy American waivers granted; Broun amendment (No. 50), as modified, that expresses the sense of Congress strongly encouraging the President to order the flag of the United States flown on military outposts of the United States in the Republic of Haiti; Edwards (MD) amendment (No. 51) that directs the Department of Defense to include the impact on domestic jobs in their periodic assessments of defense capability; and Price (NC) amendment (No. 57) that extends certain provisions of the Fiscal Year 2008 National Defense Authorization Act pertaining to private security contractors in Iraq and Afghanistan to additional overseas areas with a significant contractor presence; **Pages H4043–48**

McMahon amendment (No. 62 printed in H. Rept. 111–498) that expresses a Sense of Congress concerning the implementation of the Congressionally-mandated recommendations of the Institute of Medicine study; **Page H4048**

Skelton en bloc amendment No. 7 consisting of the following amendments printed in H. Rept. 111–498: Herseth Sandlin amendment (No. 38) that requires reports to Congress on U.S. bomber modernization, sustainment and recapitalization efforts in support of the national defense strategy; Childers amendment (No. 49) that requires the Secretary of Defense to submit a report to Congress regarding the procurement and the feasibility of sustained low-level production of Mine Resistant Ambush Protective Vehicles; Foster amendment (No. 53) that directs the Secretary of Defense to commission an independent study by assessing the optimal balance

of unmanned versus manned platforms, and the current ability of each branch of the military to defend against unmanned aerial vehicles; Luján amendment (No. 60) that instructs the Administrator of the National Nuclear Security Administration to encourage technology transfer activities at its national security laboratories that will lead to enhanced private-sector employment opportunities; Hinchey amendment (No. 72) that requires the Department of Defense to apply the Buy American Act to the procurement of photovoltaic devices purchased through subcontracts; Hinchey amendment (No. 73) that requires armed private security contractors who are using U.S. citizens in Iraq or Afghanistan to hire those individuals as direct employees rather than independent contractors; and Connolly amendment (No. 75) that requires the Secretary of Defense to establish monitoring and evaluation mechanisms for its programs in the Horn of Africa;

Pages H4050–55

Inslee amendment (No. 82 printed in H. Rept. 111–498) that requires the Department of Defense to take into consideration during the KC–X or any successor aerial tanker replacement program any unfair competitive advantage an offeror may possess, and to report any such unfair competitive advantage to Congressional defense committees within 60 days of bid submissions (by a recorded vote of 410 ayes to 8 noes, Roll No. 313);

Pages H4011–13, H4060

Gutierrez amendment (No. 21 printed in H. Rept. 111–498) that stipulates that, should the Secretary of Defense determine that BP or its subsidiaries performing any contract with the Department are no longer a “responsible source,” the Secretary shall consider debarring BP or its subsidiaries from contracting with the Department no later than 90 days after making such determination (by a recorded vote of 372 ayes to 52 noes, Roll No. 314);

Pages H4031–32, H4060–61

Eshoo amendment (No. 42 printed in H. Rept. 111–498) that requires the DNI to cooperate with GAO inquiries that are initiated by Committees (by a recorded vote of 218 ayes to 210 noes, Roll No. 315);

Pages H4032–35, H4061–62

Patrick J. Murphy (PA) amendment (No. 79 printed in H. Rept. 111–498) that repeals “Don’t Ask Don’t Tell” only after: (1) receipt of the recommendations of the Pentagon’s Comprehensive Review Working Group on how to implement a repeal of DADT (due December 1, 2010) and (2) a certification by the Secretary of Defense, Chairman of the Joint Chiefs and President that repeal is first, consistent with military readiness, military effectiveness, unit cohesion and recruiting, and second, that the DoD has prepared the necessary policies and regula-

tions to implement its repeal (by a recorded vote of 234 ayes to 194 noes, Roll No. 317);

Pages H4055–60, H4062–63

Sarbanes amendment (No. 47 printed in H. Rept. 111–498) that requires non-Defense agencies to establish contractor inventories and insourcing programs to mirror current law for the Department of Defense (by a recorded vote of 253 ayes to 172 noes, Roll No. 318);

Pages H4035–38, H4063–64

Skelton en bloc amendment No. 8 consisting of the following amendments printed in H. Rept. 111–498: Dahlkemper amendment (No. 56) that allows the Secretary of Defense to make excess non-lethal supplies available for domestic emergency assistance purposes, in coordination with the Secretary of Homeland Security; Kirkpatrick amendment (No. 58) that eliminates gaps in existing law that have resulted in unauthorized and improper disposal of Department of Defense property; Kosmas amendment (No. 59) that requires DoD and NASA to conduct a study of the feasibility of joint usage of the NASA Shuttle Logistics Depot; Perriello amendment (No. 65) that ensures that Department of Defense in sourcing decisions are performance based by excluding from consideration the value of employer sponsored health plans and retirement benefits plans provided by both DoD and private government contractors; Titus amendment (No. 69) that provides the Secretary of Defense the flexibility to change the effective date of the Homeowners Assistance Program for members of the armed forces permanently reassigned during the mortgage crisis; Critz amendment (No. 71) that allows military claims offices to pay full replacement value, instead of fair market value, on claims that fall outside the current contractual arrangements for providing full replacement value for the household goods of service members and civilian employees moved at the expense of the Department of Defense; Connolly amendment (No. 76) that standardizes federal agency and OPM reporting requirements regarding federal internship programs; and Grayson amendment (No. 78) that requires cost or price be given at least equal importance in evaluating competitive proposals for procurement contracts with the United States Department of Defense; and

Pages H4064–67

Teague amendment (No. 68 printed in H. Rept. 111–498) that provides health insurance to dependents of permanently and totally disabled veterans, as well as veterans who died from serviced connected disabilities, through the age of 26.

Pages H4067–68

Rejected:

Pingree (ME) amendment (No. 80 printed in H. Rept. 111–498) that sought to strike funding for the Joint Strike Fighter’s Alternate Engine Program (by

a recorded vote of 193 ayes to 231 noes with 3 voting “present”, Roll No. 316). **Pages H4008–11, H4062**

Proceedings Postponed:

Shea-Porter amendment (No. 81 printed in H. Rept. 111–498) that seeks to require a penalty for prime contractors that do not provide information to databases on contracts in Iraq and Afghanistan, and it adds a reporting requirement and **Page H4068**

Skelton en bloc amendment No. 9 consisting of the following amendments printed in H. Rept. 111–498: Courtney amendment (No. 8) that seeks to transfer the Troops to Teachers program from the Department of Education to the Department of Defense; Hastings (FL) amendment (No. 15) that seeks to require the Department of Defense, in consultation with the Secretary of State, Attorney General, Secretary of Homeland Security, Administrator of the United States Agency for International Development, and heads of other appropriate Federal agencies to produce a needs assessment of U.S. affiliated Iraqis and their status; Shadegg amendment (No. 30) that seeks to prohibit members of the Armed Forces or veterans from receiving burial benefits if they are convicted of certain sexual offenses requiring them to register as “Tier III” sex offenders; Holt amendment (No. 32), as modified, that seeks to require that the Secretary of Defense ensure that each member of the Individual Ready Reserve or those designated as Individual Mobilization Augmentees who have served at least one tour in Iraq or Afghanistan receive at least quarterly counseling and health and welfare calls from personnel properly trained to provide such services; Luetkemeyer amendment (No. 55) that seeks to direct the Secretary of each military department to review the service records of eligible Jewish American veterans from World War I to determine whether such veterans should be awarded the Medal of Honor; Markey (CO) amendment (No. 61) that seeks to create the Department of Veterans Affairs HONOR Scholarship Program for veterans’ pursuit of graduate and post-graduate degrees in behavioral health sciences; Minnick amendment (No. 64) that seeks to authorize the Secretary of Education to provide support to help cover operating costs of new state programs under the National Guard Youth Challenge Program; Schrader amendment (No. 66) that seeks to require the Secretary of Defense to ensure that each member of a reserve component of the Armed Forces who is mobilized or demobilized is provided a clear and comprehensive statement of the medical care and treatment to which such member is entitled under Federal law by reason of being so mobilized or demobilized; Schrader amendment (No. 67) that seeks to instruct the DoD Inspector General to conduct a study assessing the medical processing of National Guard and Reserve soldiers mobilizing

and demobilizing under Title X; Klein (FL) amendment (No. 74) that seeks to require companies that are applying for Department of Defense contracts to certify that they do not conduct business in Iran, as defined by Section 5 of the Iran Sanctions Act; and Pingree (ME) amendment (No. 77) that seeks to require the Department of Defense to continue commissary and exchange stores at Naval Air Station Brunswick through September 30, 2011.

Pages H4068–73

H. Res. 1404, the rule providing for consideration of the bill, was agreed to by a yea-and-nay vote of 241 yeas to 178 nays, Roll No. 307, after the previous question was ordered without objection.

Page H3887

Committee Resignation: Read a letter from Representative Shuster, wherein he resigned from the Committee on Armed Services, effective today.

Page H4077

Presidential Message: Read a message from the President wherein he transmitted to Congress the National Security Strategy of the United States—referred to the Committee on Armed Services.

Page H3889

Quorum Calls—Votes: Two yea-and-nay votes and 11 recorded votes developed during the proceedings of today and appear on pages H3885–86, H3887, H3889, H388–89, H4013, H4013–14, H4014–15, H4060, H4060–61, H4061–62, H4062, H4062–63 and H4063–64. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 11:53 p.m.

Committee Meetings

INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Interior, Environment, and Related Agencies held a hearing on BP-Transocean Deepwater Horizon Oil Disaster: Ongoing Response and Environmental Impacts. Testimony was heard from the following officials of the Department of the Interior: Ken Salazar, Secretary; David J. Hayes, Deputy Secretary; Tom Strickland, Assistant Secretary, Fish, Wildlife and Parks; and Marcia McNutt, Director, U.S. Geological Survey; and Bob Perciasepe, Deputy Administrator, EPA.

LOW-INCOME/MINORITY SERVING INSTITUTIONS

Committee on Education and Labor: Subcommittee on Higher Education, Lifelong Learning, and Competitiveness held a hearing Examining GAO’s Findings on Efforts to Improve Oversight of Low-Income and

Minority Serving Institutions. Testimony was heard from George A. Scott, Director, Education, Workforce and Income Security Issues, GAO; and Robert Shireman, Office of the Under Secretary, Deputy Under Secretary, Department of Education.

SYNTHETIC GENOMICS' HEALTH/ENERGY IMPLICATIONS

Committee on Energy and Commerce: Held a hearing on Developments in Synthetic Genomics and Implications for Health and Energy. Testimony was heard from Anthony S. Fauci, M.D., National Institute of Allergy and Infectious Diseases, NIH, Department of Health and Human Services; and public witnesses.

BP OIL SPILL

Committee on Energy and Commerce: Subcommittee on Energy and Environment held a hearing entitled "Combating the BP Oil Spill." Testimony was heard from Lisa Jackson, Administrator, EPA; Larry Robinson, Assistant Secretary, Oceans and Atmosphere, NOAA, Department of Commerce; David J. Hayes, Deputy Secretary, Department of the Interior; RADM James Watson, USCG, Deputy, Unified Area Command, Department of Homeland Security; and Jo-Ellen Darcy, Assistant Secretary of the Army (Civil Works), Department of Defense.

HOUSING FAIRNESS ACT OF 2009

Committee on Financial Services, Subcommittee on Housing and Community Opportunity approved for full Committee action, as amended, H.R. 476, Housing Fairness Act of 2009.

U.S.-MEXICO SECURITY COOPERATION

Committee on Homeland Security: Subcommittee on Border, Maritime, and Global Counterterrorism and the Subcommittee on Western Hemisphere of the Committee on Foreign Affairs held a joint hearing entitled "U.S.-Mexico Security Cooperation: Next Steps for the Merida Initiative." Testimony was heard from Roberta S. Jacobson, Deputy Assistant Secretary, Bureau of Western Hemisphere, Department of State; the following officials of the Department of Homeland Security: Mariko Silver, Deputy Assistant Secretary, Policy, Acting Assistant Secretary, International Affairs; Alonzo R. Peña, Deputy Assistant Secretary, Operations, U.S. Immigration and Customs Enforcement; and Allen Gina, Acting Assistant Commissioner, Office of Intelligence and Operations Coordination, U.S. Customs and Border Protection; and John D. Negroponte, former Director of National Intelligence, former Deputy Secretary of State; and former U.S. Ambassador to Honduras and to Mexico.

GULF COAST OIL SPILL LEGAL LIABILITY

Committee on the Judiciary: Held a hearing on the Legal Liability Issues Surrounding the Gulf Coast Oil Disaster. Testimony was heard from Jim Hood, Attorney General, State of Mississippi; Darryl Willis, Vice President, Resources, BP America; Rachael Clingman, Acting General Counsel, Transocean, Ltd.; James W. Ferguson, Vice President and Deputy General Counsel, Halliburton; William C. Lemmer, General Counsel, Cameron International Corporation; and public witnesses.

DEEPWATER HORIZON EXPLOSION'S OIL STRATEGY IMPACT

Committee on Natural Resources: Continued oversight hearings entitled "Outer Continental Shelf Oil and Gas Strategy and Implications of the Deepwater Horizon Rig Explosion." Testimony was heard from Representative Garamendi, Lamar McKay, Chairman and President, BP America, Inc., Steven L. Newman, President and CEO, Transocean Ltd., and public witnesses.

PEDIATRIC OVER-THE-COUNTER MEDICATION RECALLS

Committee on Oversight and Government Reform: Held a hearing regarding the circumstances surrounding the recall of popular children's medicines produced by Johnson & Johnson/McNeil Consumer Healthcare. Testimony was heard from following officials of the FDA, Department of Health and Human Services: Joshua Sharfstein, Principal Deputy Commissioner; Deborah M. Autor, Director, Office of Compliance, Center for Drug Evaluation and Research; and Michael A. Chappell, Acting Associate Commissioner, Regulatory Affairs; and Colleen Goggins, Worldwide Chairman, Consumer Group, Johnson & Johnson.

MISCELLANEOUS MEASURES

Committee on Oversight and Government Reform: Subcommittee on Federal Workforce, Postal Service, and the District of Columbia approved for full Committee action the following bills: H.R. 3243, to amend section 5542 of title 5, United States Code, to provide that any hours worked by Federal firefighters under a qualified trade-of-time arrangement shall be excluded for purposes of determination relating to overtime pay; H.R. 3264, as amended, Federal Internship Improvement Act; H.R. 5367, as amended, D.C. Courts and Public Defender Service Act of 2010; and H.R. 5368, United States Postal Service Postal Inspectors Equity Act.

PUBLIC SAFETY COMMUNICATIONS EQUIPMENT INTEROPERABILITY

Committee on Science and Technology: Subcommittee on Technology and Innovation held a hearing on Interoperability in Public Safety Communications Equipment. Testimony was heard from David Boyd, Director, Command, Control and Interoperability, Science and Technology Directorate, Department of Homeland Security; Dereck Orr, Program Manager, Public Safety Communications Systems, National Institute of Standards and Technology, Department of Commerce; and public witnesses.

VETERANS' MEASURES

Committee on Veterans' Affairs: Subcommittee on Health held a hearing on the following measures: H.R. 4062, Veterans' Health and Radiation Safety Act; H.R. 4505, To enable State homes to furnish nursing home care to parents any of whose children died while serving in the Armed Forces; H.R. 4465, To amend title 38, United States Code, to direct the Secretary of Veterans affairs to take into account each child a veteran has when determining the veteran's financial status when receiving hospital care or medical services; Draft legislation "World War II Hearing Aid Treatment Act"; and Draft legislation on Outreach. Testimony was heard from Representatives Adler of New Jersey, Thornberry and Kissell; Robert

Jesse, M.D., Acting Principal Under Secretary, Health, Veterans Health Administration, Department of Veterans Affairs; and representatives of veterans organizations.

TOBACCO SMUGGLING EXCISE TAX COMPLIANCE ISSUES

Committee on Ways and Means: Subcommittee on Oversight held a hearing on tobacco smuggling in the United States and other excise tax compliance issues. Testimony was heard from Representative Doggett; and John J. Manfreda, Administrator, Alcohol and Tobacco Tax and Trade Bureau, Department of the Treasury.

Joint Meetings

No joint committee meetings were held.

COMMITTEE MEETINGS FOR FRIDAY, MAY 28, 2010

(Committee meetings are open unless otherwise indicated)

Senate

No meetings/hearings scheduled.

House

No committee meetings are scheduled.

Next Meeting of the SENATE

10 a.m., Friday, May 28

Senate Chamber

Program for Friday: Senate will be in a period of morning business.

Next Meeting of the HOUSE OF REPRESENTATIVES

9 a.m., Friday, May 28

House Chamber

Program for Friday: Complete consideration of H.R. 5136—National Defense Authorization Act for Fiscal Year 2011.



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