

holes force the wood into a tightly compact pellet shape that stores energy without wasting space. These pellets are extremely versatile and can be made from either hardwood or softwood.

Once inside the boiler, the pellets are fanned in order to ensure maximum combustibility. Finally, the pellets are burned, generating heat that can be used as a home heating source. The boiler has already been approved by the Underwriters Laboratories and proven reliable by the American Society of Mechanical Engineers. In addition to their dependability, wood pellets are also environmentally friendly.

The wood pellets have very little ash content. Unlike traditional log fires, burning pellets do not appear to create chimney deposits and in fact, burning wood pellets creates no visible smoke. The only byproduct left after burning is wood ash, which is actually beneficial to garden and lawn soil. Wood pellets are a local renewable resource, and many of the pellets used by Maine Energy Systems come from trees in the small Maine town of Athens. In this way, Maine's abundant forests can help reduce our Nation's dependence on foreign sources of energy, in particular Middle Eastern oil. The carbon footprint created by wood pellet burning stoves is only 28.6 lbs. per million British thermal units, which ranks as one of the most efficient ways to heat a home.

Maine Energy Systems is at the vanguard of the "green" product revolution, creating a product that is beneficial to the environment, saves consumers money, and produces profits and jobs. Entrepreneurs in the purest sense of the word, Maine Energy Systems' founders have provided our country a tremendous opportunity for a better future. I wish Les Otten, Dr. Harry "Dutch" Dressler, William Strauss, and Maine Energy Systems continued success as they help Mainers save money, energy, and the environment.

#### MESSAGE FROM THE PRESIDENT

A message from the President of the United States was communicated to the Senate by Mrs. Neiman, one of his secretaries.

#### EXECUTIVE MESSAGE REFERRED

As in executive session the Presiding Officer laid before the Senate a message from the President of the United States submitting nominations which were referred to the Committee on Armed Services.

(The nomination received today is printed at the end of the Senate proceedings.)

#### MESSAGE FROM THE HOUSE

At 12:16 p.m., a message from the House of Representatives, delivered by

Mrs. Cole, one of its reading clerks, announced that the House has agreed to the following concurrent resolutions, without amendment:

S. Con. Res. 1. Concurrent resolution to provide for the counting on January 8, 2009, of the electoral votes for President and Vice President of the United States.

S. Con. Res. 2. Concurrent resolution extending the life of the Joint Congressional Committee on Inaugural Ceremonies.

The message also announced that the House has passed the following joint resolution, without amendment:

S.J. Res. 3. Joint resolution ensuring that the compensation and other emoluments attached to the Office of Secretary of the Interior are those which were in effect on January 1, 2005.

#### MEASURES PLACED ON THE CALENDAR

The following bills were read the second time, and placed on the calendar:

S. 1. A bill to create jobs, restore economic growth, and strengthen America's middle class through measures that modernize the Nation's infrastructure, enhance America's energy independence, expand educational opportunities, preserve and improve affordable health care, provide tax relief, and protect those in greatest need, and for other purposes.

S. 2. A bill to improve the lives of middle class families and provide them with greater opportunity to achieve the American dream.

S. 3. A bill to protect homeowners and consumers by reducing foreclosures, ensuring the availability of credit for homeowners, businesses, and consumers, and reforming the financial regulatory system, and for other purposes.

S. 4. A bill to guarantee affordable, quality health coverage for all Americans, and for other purposes.

S. 5. A bill to improve the economy and security of the United States by reducing the dependence of the United States on foreign and unsustainable energy sources and the risks of global warming, and for other purposes.

S. 6. A bill to restore and enhance the national security of the United States.

S. 7. A bill to expand educational opportunities for all Americans by increasing access to high-quality early childhood education and after school programs, advancing reform in elementary and secondary education, strengthening mathematics and science instruction, and ensuring that higher education is more affordable, and for other purposes.

S. 8. A bill to return the Government to the people by reviewing controversial "midnight regulations" issued in the waning days of the Bush administration.

S. 9. A bill to strengthen the United States economy, provide for more effective border and employment enforcement, and for other purposes.

S. 10. A bill to restore fiscal discipline and begin to address the long-term fiscal challenges facing the United States, and for other purposes.

S. 33. A bill to amend the Internal Revenue Code of 1986 with respect to the proper tax treatment of certain indebtedness discharged in 2009 or 2010, and for other purposes.

S. 34. A bill to prevent the Federal Communications Commission from repromulgating the fairness doctrine.

#### MEASURES READ THE FIRST TIME

The following bill was read the first time:

S. 22. A bill to designate certain land components of the National Wilderness Preservation System, to authorize certain programs and activities in the Department of the Interior and the Department of Agriculture, and for other purposes.

#### EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-221. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class E Airspace; Big Spring, TX" ((Docket No. FAA-2008-0757)(Airspace Docket No. 08-ASW-13)) received in the Office of the President of the Senate on December 11, 2008; to the Committee on Commerce, Science, and Transportation.

EC-222. A communication from the Assistant Secretary of the Army (Civil Works), transmitting, pursuant to law, a report relative to the economic benefits of recreational boating in the Great Lakes basin; to the Committee on Environment and Public Works.

EC-223. A communication from the Assistant Administrator, Office of Administration and Resources Management, Environmental Protection Agency, transmitting, pursuant to law, a report relative to the Agency's competitive sourcing activities during fiscal year 2008; to the Committee on Environment and Public Works.

EC-224. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "2, 4-D, Bensulide, Chlorpyrifos, DCPA, Desmedipham, Dimethoate, Fenamiphos, Metolachlor, Phorate, Sethoxydim, Terbufos, Tetrachlorvinphos, and Triallate; Technical Amendment" (FRL-8393-9) received in the Office of the President of the Senate on January 5, 2009; to the Committee on Environment and Public Works.

EC-225. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Air Quality Designations for the 2006 24-Hour Fine Particle (PM2.5) National Ambient Air Quality Standards" (RIN2060-AO02) received in the Office of the President of the Senate on January 5, 2009; to the Committee on Environment and Public Works.

EC-226. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Texas; Attainment Demonstration for the Dallas/Fort Worth 1997 8-Hour Ozone Nonattainment Area" (FRL-8758-7) received in the Office of the President of the Senate on January 5, 2009; to the Committee on Environment and Public Works.

EC-227. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Illinois and Indiana; Finding of Attainment for 1-Hour Ozone for the Chicago-Gary-Lake County, IL-IN Area" (FRL-8757-8) received in the Office of the President of the Senate on January 5, 2009; to the Committee on Environment and Public Works.

EC-228. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; Texas; Control of Emissions of Nitrogen Oxides (NOx) From Cement Kilns" (FRL-8758-8) received in the Office of the President of the Senate on January 5, 2009; to the Committee on Environment and Public Works.

EC-229. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; Georgia; Nonattainment New Source Review Rules" (FRL-8757-9) received in the Office of the President of the Senate on January 5, 2009; to the Committee on Environment and Public Works.

EC-230. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of State Implementation Plans; Oregon; Salem Carbon Monoxide Nonattainment Area; Designation of Areas for Air Quality Planning Purposes" (FRL-8747-7) received in the Office of the President of the Senate on January 5, 2009; to the Committee on Environment and Public Works.

EC-231. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Extension of Cross-Media Electronic Reporting Rule Deadline for Authorized Programs" (FRL-8757-2) received in the Office of the President of the Senate on January 5, 2009; to the Committee on Environment and Public Works.

EC-232. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Revisions to the Clean Water Act Regulatory Definition of 'Discharge of Dredged Material'; Final Rule" (FRL-8757-7) received in the Office of the President of the Senate on January 5, 2009; to the Committee on Environment and Public Works.

EC-233. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Multiple Chemicals; Extension of Tolerances for Emergency Exemptions" (FRL-8392-3) received in the Office of the President of the Senate on January 5, 2009; to the Committee on Environment and Public Works.

EC-234. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; The Metropolitan Washington Nonattainment Areas; Determination of Attainment of the Fine Particle Standard" (FRL-8759-7) received in the Office of the President of the Senate on January 5, 2009; to the Committee on Environment and Public Works.

EC-235. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; West Virginia; Ambient Air Quality Standards" (FRL-8759-6) received in the Office of the President of the Senate on January 5, 2009; to the Committee on Environment and Public Works.

EC-236. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the

report of a rule entitled "Research Credit Claims Audit Techniques Guide: Credit for Increasing Research Activities IRC Section 41—Exhibit E" (LMSB-4-1208-057) received in the Office of the President of the Senate on January 5, 2009; to the Committee on Finance.

EC-237. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Applicable Federal Rates—January 2009" (Rev. Rul. 2009-1) received in the Office of the President of the Senate on January 5, 2009; to the Committee on Finance.

EC-238. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Permitted disparity in employer-provided contributions or benefits" (Rev. Rul. 2009-2) received in the Office of the President of the Senate on January 5, 2009; to the Committee on Finance.

EC-239. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Petroleum Industry Overview Guide" (LMSB-4-1208-056) received in the Office of the President of the Senate on January 5, 2009; to the Committee on Finance.

EC-240. A communication from the Program Manager of the Center for Medicaid and State Operations, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Medicaid Program; Disproportionate Share Hospital Payments" (RIN0938-AO45) received in the Office of the President of the Senate on January 5, 2009; to the Committee on Finance.

EC-241. A communication from the Program Manager of the Center for Medicaid and State Operations, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Medicare Program; Surety Bond Requirement for Suppliers of Durable Medical Equipment, Prosthetics, Orthotics, and Supplies (DMEPOS)" (RIN0938-AO84) received in the Office of the President of the Senate on January 5, 2009; to the Committee on Finance.

EC-242. A communication from the Assistant Secretary, Veterans' Employment and Training Service, Department of Labor, transmitting, pursuant to law, the report of a rule entitled "Priority of Service for Covered Persons" (RIN1293-AA15) received in the Office of the President of the Senate on January 5, 2009; to the Committee on Health, Education, Labor, and Pensions.

EC-243. A communication from the Director of Interpretations and Regulatory Analysis, Employment Standards Administration, Department of Labor, transmitting, pursuant to law, the report of a rule entitled "Protecting the Privacy of Workers: Labor Standards Provisions Applicable to Contracts Covering Federally Financed and Assisted Construction" (RIN1215-AB67) received in the Office of the President of the Senate on January 5, 2009; to the Committee on Health, Education, Labor, and Pensions.

EC-244. A communication from the Program Manager, Office of Global Health Affairs, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Office of Global Health Affairs; Regulation on the Organizational Integrity of Entities that are Implementing Programs and Activities Under the Leadership Act" (RIN0991-AB46) received in

the Office of the President of the Senate on January 5, 2009; to the Committee on Health, Education, Labor, and Pensions.

EC-245. A communication from the Chairman, Merit System Protection Board, transmitting, pursuant to law, a report entitled "The Federal Government: A Model Employer or a Work In Progress?"; to the Committee on Homeland Security and Governmental Affairs.

EC-246. A communication from the National Executive Secretary, Navy Club of the United States of America, transmitting, pursuant to law, a report relative to the national financial statement of the organization and national staff and convention minutes for the year ending July 31, 2008; to the Committee on the Judiciary.

EC-247. A communication from the General Counsel, Office of Justice Programs, Department of Justice, transmitting, pursuant to law, the report of a rule entitled "Public Safety Officers' Benefits Program" (RIN1121-AA75) received in the Office of the President of the Senate on January 5, 2009; to the Committee on the Judiciary.

EC-248. A communication from the Deputy Chief of the Regulatory Management Division, Citizenship and Immigration Services, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Changes to Requirements Affecting H-2B Nonimmigrants and Their Employers" (RIN1615-AB67) received in the Office of the President of the Senate on January 5, 2009; to the Committee on the Judiciary.

EC-249. A communication from the Administrator of the Office of Policy Development and Research, Employment and Training Administration, Department of Labor, transmitting, pursuant to law, the report of a rule entitled "Labor Certification Process and Enforcement for Temporary Employment in Occupations Other Than Agriculture or Registered Nursing in the United States (H-2B Workers), and Other Technical Changes" (RIN1205-AB54) received in the Office of the President of the Senate on January 5, 2009; to the Committee on the Judiciary.

EC-250. A communication from the Administrator of the Office of Policy Development and Research, Employment and Training Administration, Department of Labor, transmitting, pursuant to law, the report of a rule entitled "Temporary Agricultural Employment of H-2A Aliens in the United States; Modernizing the Labor Certification Process and Enforcement" (RIN1205-AB55) received in the Office of the President of the Senate on January 5, 2009; to the Committee on the Judiciary.

## INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. BINGAMAN:

S. 22. A bill to designate certain land components of the National Wilderness Preservation System, to authorize certain programs and activities in the Department of the Interior and the Department of Agriculture, and for other purposes; read the first time.

By Ms. CANTWELL (for herself, Mr. ENSIGN, Mrs. MURRAY, Mr. REID, Mr. ALEXANDER, and Mr. NELSON of Florida):

S. 23. A bill to amend the Internal Revenue Code of 1986 to permanently extend the election to deduct State and local sales taxes; to the Committee on Finance.

By Mr. KERRY (for himself and Mr. ROCKEFELLER):