

After his elimination, Matt remained graceful and thanked his fans back home for all of their support.

On behalf of myself and Senator LEVIN, and all the people of the great State of Michigan, we want to return the favor. We want to thank Matt for reaching for the stars, for pushing himself to the limit, and for showing America Michigan's creative and resilient spirit.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mrs. Neiman, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

MESSAGES FROM THE HOUSE

At 2:26 p.m., a message from the House of Representatives, delivered by Mr. Zapata, one of its reading clerks, announced that the House has passed the following resolutions, in which it requests the concurrence of the Senate:

H. R. 774. An act to designate the facility of the United States Postal Service located at 46-02 21st Street in Long Island City, New York, as the "Geraldine Ferraro Post Office Building".

H. R. 1271. An act to designate the facility of the United States Postal Service located at 2351 West Atlantic Boulevard in Pompano Beach, Florida, as the "Elijah Pat Larkins Post Office Building".

H. R. 1397. An act to designate the facility of the United States Postal Service located at 41 Purdy Avenue in Rye, New York, as the "Caroline O'Day Post Office Building".

At 5:37 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bill with amendments, in which it requests the concurrence of the Senate:

S. 386. An act to improve enforcement of mortgage fraud, securities fraud, financial institution fraud, and other frauds related to federal assistance and relief programs, for the recovery of funds lost to these frauds, and for other purposes.

MEASURES REFERRED

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

H.R. 774. An act to designate the facility of the United States Postal Service located at 46-02 21st Street in Long Island City, New York, as the "Geraldine Ferraro Post Office Building"; to the Committee on Homeland Security and Governmental Affairs.

H.R. 1271. An act to designate the facility of the United States Postal Service located

at 2351 West Atlantic Boulevard in Pompano Beach, Florida, as the "Elijah Pat Larkins Post Office Building"; to the Committee on Homeland Security and Governmental Affairs.

H.R. 1397. An act to designate the facility of the United States Postal Service located at 41 Purdy Avenue in Rye, New York, as the "Caroline O'Day Post Office Building"; to the Committee on Homeland Security and Governmental Affairs.

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-1510. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Novaluron; Pesticide Tolerances for Emergency Exemptions" (FRL-8409-8) received in the Office of the President of the Senate on May 5, 2009; to the Committee on Agriculture, Nutrition, and Forestry.

EC-1511. A communication from the Under Secretary of Defense (Comptroller), transmitting, pursuant to law, the report of a violation of the Antideficiency Act that occurred at Fort Belvoir, Virginia, and has been assigned Army case number 06-07; to the Committee on Appropriations.

EC-1512. A communication from the Vice Director, Defense Logistics Agency, Department of Defense, transmitting, pursuant to law, a report relative to an interim response to the reporting requirement of the Strategic and Critical Materials Stockpiling Act; to the Committee on Armed Services.

EC-1513. A communication from the Vice Director, Defense Logistics Agency, Department of Defense, transmitting, pursuant to law, a report relative to the biennial report on stockpile requirements of the Strategic and Critical Materials Stockpiling Act; to the Committee on Armed Services.

EC-1514. A communication from the Deputy Under Secretary of Defense for Logistics and Materiel Readiness, transmitting, pursuant to law, a report relative to the percentage of funds that was expended during the preceding fiscal year and is projected to be expended during the current fiscal year for the Department's depot maintenance and repair workloads by the public and private sectors; to the Committee on Armed Services.

EC-1515. A communication from the Secretary of Defense, transmitting a report on the approved retirement of Lieutenant General Robert J. Elder, Jr., United States Air Force, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

EC-1516. A communication from the Vice Chair and First Vice President, Export-Import Bank of the United States, transmitting, pursuant to law, a report relative to transactions involving exports to Canada, China, Panama, India, Ukraine and to other countries yet to be determined; to the Committee on Banking, Housing, and Urban Affairs.

EC-1517. A communication from the Deputy General Counsel for Operations, Department of Housing and Urban Development, transmitting, pursuant to law, (4) reports relative to vacancy announcements within the Department; to the Committee on Banking, Housing, and Urban Affairs.

EC-1518. A communication from the Secretary of Transportation, transmitting, the Department's Fiscal Year 2008 Annual Report as required by the Superfund Amend-

ments and Reauthorization Act of 1986; to the Committee on Environment and Public Works.

EC-1519. A communication from the Secretary of Transportation, transmitting, pursuant to law, the Department's annual report on the administration of the Surface Transportation Project Delivery Pilot Program; to the Committee on Environment and Public Works.

EC-1520. A communication from the Acting Administrator, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, a report relative to the cost of response and recovery efforts for FEMA-3302-EM in the Commonwealth of Kentucky having exceeded the \$5,000,000 limit for a single emergency declaration; to the Committee on Environment and Public Works.

EC-1521. 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; Indiana; Extended Permit Terms for Renewal of Federally Enforceable State Operating Permits" (FRL-8899-3) received in the Office of the President of the Senate on May 5, 2009; to the Committee on Environment and Public Works.

EC-1522. 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; Kentucky; Section 110(a)(1) Maintenance Plans for the 1997 8-Hour Ozone Standard for the Huntington-Ashland Area, Lexington Area and Edmonson County; Withdrawal of Direct Final Rule" (FRL-8900-4) received in the Office of the President of the Senate on May 5, 2009; to the Committee on Environment and Public Works.

EC-1523. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Finding of Failure to Submit State Implementation Plans Required for the 1997 8-Hour Ozone National Ambient Air Quality Standard; North Carolina and South Carolina" (FRL-8901-8) received in the Office of the President of the Senate on May 5, 2009; to the Committee on Environment and Public Works.

EC-1524. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Revision to the California State Implementation Plan; North Coast Unified Air Quality Management" (FRL-8780-1) received in the Office of the President of the Senate on May 5, 2009; to the Committee on Environment and Public Works.

EC-1525. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Revisions to the California State Implementation Plan, North Coast Unified Air Quality Management District" (FRL-8782-7) received in the Office of the President of the Senate on May 5, 2009; to the Committee on Environment and Public Works.

EC-1526. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Revisions to the California State Implementation Plan, Santa Barbara County Air Pollution Control District" (FRL-8900-2) received in the Office of the President of the Senate on May 5, 2009; to the Committee on Environment and Public Works.

EC-1527. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting,

pursuant to law, the report of a rule entitled "Revisions to the California State Implementation Plan, South Coast Air Quality Management District Sacramento Metropolitan Air Quality Management District" (FRL-8783-9) received in the Office of the President of the Senate on May 5, 2009; to the Committee on Environment and Public Works.

EC-1528. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to the Convention on Cultural Property Implementation Act, a report relative to action taken to enter into a Memorandum of Understanding Between the Government of the United States of America and the Government of the People's Republic of China Concerning the Imposition of Import Restrictions on Categories of Archaeological Material; to the Committee on Finance.

EC-1529. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to the Convention on Cultural Property Implementation Act, a report relative to extending the Memorandum of Understanding Between the Government of the United States of America and the Government of the Republic of Honduras Concerning the Imposition of Import Restrictions on Categories of Archaeological Material; to the Committee on Finance.

EC-1530. A communication from the Program Manager, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Medicare Program; Inpatient Psychiatric Facilities Prospective Payment System Payment Update for Rate Year Beginning July 1, 2009 (RY 2010)" (RIN0938-AP50) received in the Office of the President of the Senate on May 5, 2009; to the Committee on Finance.

EC-1531. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, the website address of a report entitled "Country Report on Terrorism 2008"; to the Committee on Foreign Relations.

EC-1532. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to the incidental capture of sea turtles in commercial shrimping operations; to the Committee on Foreign Relations.

EC-1533. A communication from the Acting Deputy Assistant Administrator, Bureau for Legislative and Public Affairs, U.S. Agency for International Development, transmitting, pursuant to law, the Agency's second FY 2009 quarterly report; to the Committee on Foreign Relations.

EC-1534. A communication from the Under Secretary of Defense (Comptroller), transmitting, pursuant to law, a quarterly report entitled, "Acceptance of Contributions for Defense Programs, Projects, and Activities; Defense Cooperation Account"; to the Committee on Foreign Relations.

EC-1535. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of the Treasury, transmitting, the report of a draft bill "To authorize an amendment to the Articles of Agreement of the International Bank for Reconstruction and Development increasing the basic votes of members"; to the Committee on Foreign Relations.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. DODD, from the Committee on Banking, Housing, and Urban Affairs:

Special Report entitled "Activities of the Committee on Banking, Housing, and Urban

Affairs During the 110th Congress Pursuant to Rule XXVI of the Standing Rules of the United States Senate" (Rept. No. 111-17).

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted:

By Mr. LEVIN for the Committee on Armed Services.

*Ines R. Triary, of New Mexico, to be an Assistant Secretary of Energy (Environmental Management).

*Jo-Ellen Darcy, of Maryland, to be an Assistant Secretary of the Army.

*Michael Nacht, of California, to be an Assistant Secretary of Defense.

*Elizabeth Lee King, of the District of Columbia, to be an Assistant Secretary of Defense.

*Wallace C. Gregson, of Colorado, to be an Assistant Secretary of Defense.

*Air Force nomination of Col. Michael W. Miller, to be Brigadier General.

*Air Force nomination of Maj. Gen. Marc E. Rogers, to be Lieutenant General.

*Air Force nomination of Maj. Gen. Thomas J. Owen, to be Lieutenant General.

*Air Force nomination of Maj. Gen. Robert R. Allardice, to be Lieutenant General.

*Air Force nomination of Lt. Gen. Frank G. Klotz, to be Lieutenant General.

*Air Force nominations beginning with Brigadier General Thomas K. Andersen and ending with Brigadier General Janet C. Wolfenbarger, which nominations were received by the Senate and appeared in the Congressional Record on April 20, 2009. (minus 2 nominees: Brigadier General Richard T. Devereaux; Brigadier General Noel T. Jones)

*Air Force nomination of Maj. Gen. Larry O. Spencer, to be Lieutenant General.

*Navy nomination of Adm. Jonathan W. Greenert, to be Admiral.

*Navy nomination of Adm. Patrick M. Walsh, to be Admiral.

*Navy nomination of Vice Adm. John C. Harvey, Jr., to be Admiral.

*Navy nomination of Vice Adm. Samuel J. Locklear III, to be Vice Admiral.

*Navy nomination of Rear Adm. Richard W. Hunt, to be Vice Admiral.

*Navy nomination of Rear Adm. Mark D. Harnitchek, to be Vice Admiral.

*Navy nomination of Capt. Mark L. Tidd, to be Rear Admiral (lower half).

*Marine Corps nominations beginning with Brigadier General George J. Allen and ending with Brigadier General John E. Wissler, which nominations were received by the Senate and appeared in the Congressional Record on March 3, 2009.

*Marine Corps nominations beginning with Colonel John J. Broadmeadow and ending with Colonel Vincent R. Stewart, which nominations were received by the Senate and appeared in the Congressional Record on April 23, 2009.

Mr. LEVIN. Mr. President, for the Committee on Armed Services I report favorably the following nomination lists which were printed in the RECORD on the dates indicated, and ask unanimous consent, to save the expense of reprinting on the Executive Calendar that these nominations lie at the Secretary's desk for the information of Senators.

The PRESIDING OFFICER. Without objection, it is so ordered.

Air Force nominations beginning with Michael F. Adames and ending with Kathryn D. Vanderlinden, which nominations were re-

ceived by the Senate and appeared in the Congressional Record on March 10, 2009.

Air Force nominations beginning with Paul L. Cannon and ending with Cherri S. Wheeler, which nominations were received by the Senate and appeared in the Congressional Record on March 25, 2009.

Air Force nominations beginning with Richard Edward Alford and ending with Richard D. Younts, which nominations were received by the Senate and appeared in the Congressional Record on March 25, 2009.

Air Force nomination of George E. Loughran, to be Colonel.

Air Force nomination of Raymond B. Abarca, to be Lieutenant Colonel.

Air Force nomination of Ian C. B. Diaz, to be Major.

Air Force nominations beginning with William T. Houston and ending with David L. Wells II, which nominations were received by the Senate and appeared in the Congressional Record on April 21, 2009.

Army nomination of Elizabeth M. Sherr, to be Major.

Army nomination of Erin T. Doyle, to be Major.

Army nomination of Scott A. Bier, to be Major.

Army nomination of Robert G. Young, to be Colonel.

Army nominations beginning with George R. Berry and ending with Perry W. Sarver, Jr., which nominations were received by the Senate and appeared in the Congressional Record on April 21, 2009.

Army nominations beginning with Michael G. Amundson and ending with Paul C. Thorn, which nominations were received by the Senate and appeared in the Congressional Record on April 21, 2009.

Army nominations beginning with Buster D. Akers, Jr. and ending with Michael T. Zell, which nominations were received by the Senate and appeared in the Congressional Record on April 21, 2009.

Marine Corps nominations beginning with John W. Hahn IV and ending with Stephanie L. Malmanger, which nominations were received by the Senate and appeared in the Congressional Record on April 21, 2009.

Navy nomination of Michael T. Echols, to be Commander.

Navy nomination of Gregory J. Hazlett, to be Lieutenant Commander.

Navy nomination of Brian J. Ellis, Jr., to be Lieutenant Commander.

Navy nomination of Jesus S. Moreno, to be Lieutenant Commander.

Navy nomination of Colleen L. Jackson, to be Lieutenant Commander.

Navy nomination of Gregory P. Mitchell, to be Lieutenant Commander.

Navy nominations beginning with Jonathan V. Ahlstrom and ending with Joel E. Yoder, which nominations were received by the Senate and appeared in the Congressional Record on April 21, 2009.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

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: