

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.)

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**NATIONAL EMERGENCY WITH RE-
SPECT TO THE 2009 H1N1 INFLU-
ENZA PANDEMIC IN THE UNITED
STATES—PM 36**

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Banking, Housing, and Urban Affairs:

To the Congress of the United States:

Pursuant to section 201 of the National Emergencies Act (50 U.S.C. 1621), I hereby report that I have exercised my authority to declare a national emergency in order to be prepared in the event of a rapid increase in illness across the Nation that may overburden health care resources. This declaration will allow the Secretary of Health and Human Services, if necessary, to temporarily waive certain standard Federal requirements in order to enable U.S. health care facilities to implement emergency operations plans to deal with the 2009 H1N1 influenza pandemic in the United States. A copy of my proclamation is attached.

Further, I have authorized the Secretary of Health and Human Services to exercise the authority under section 1135 of the Social Security Act to temporarily waive or modify certain requirements of the Medicare, Medicaid, and State Children's Health Insurance programs and of the Health Insurance Portability and Accountability Act Privacy Rule as necessary to respond to the pandemic throughout the duration of the public health emergency declared in response to the 2009 H1N1 influenza pandemic.

BARACK OBAMA.
THE WHITE HOUSE, *October 23, 2009.*

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**MESSAGE FROM THE HOUSE
DURING ADJOURNMENT**

ENROLLED BILL SIGNED

Under the authority of the order of the Senate of January 6, 2009, the Secretary of the Senate, on October 23, 2009, during the adjournment of the Senate, received a message from the House of Representatives announcing that the Speaker has signed the following enrolled bill:

S. 1793. A bill to amend title XXVI of the Public Health Service Act to revise and extend the program for providing life-saving care for those with HIV/AIDS.

The enrolled bill was subsequently signed during the session of the Senate by the President pro tempore (Mr. BYRD).

MESSAGES FROM THE HOUSE

At 2:04 p.m., a message from the House of Representatives, delivered by Ms. Brandon, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 3585. An act to guide and provide for United States research, development, and demonstration of solar energy technologies, and for other purposes.

ENROLLED BILL SIGNED

The message also announced that the Speaker has signed the following enrolled bill:

H.R. 2647. An act to authorize appropriations for fiscal year 2010 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

The enrolled bill was subsequently signed by the President pro tempore (Mr. BYRD).

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At 5:19 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, in which it requests the concurrence of the Senate:

H.R. 3619. An act to authorize appropriations for the Coast Guard for fiscal year 2010, and for other purposes.

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MEASURES REFERRED

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

H.R. 3585. An act to guide and provide for United States research, development, and demonstration of solar energy technologies, and for other purposes; to the Committee on Energy and Natural Resources.

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**MEASURES PLACED ON THE
CALENDAR**

The following bill was read the second time, and placed on the calendar:

S. 1858. A bill to require Senate candidates to file designations, statements, and reports in electronic form.

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MEASURES READ THE FIRST TIME

The following bill was read the first time:

S. 1927. A bill to establish a moratorium on credit card interest rate increases, and for other purposes.

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**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-3472. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Cold Pressed Neem Oil; Exemption from the Requirement of a Tolerance" (FRL No. 8434-5) received in the Office of the Presi-

dent of the Senate on October 21, 2009; to the Committee on Agriculture, Nutrition, and Forestry.

EC-3473. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Pyriproxyfen; Pesticide Tolerances" (FRL No. 8795-3) received in the Office of the President of the Senate on October 21, 2009; to the Committee on Agriculture, Nutrition, and Forestry.

EC-3474. A communication from the Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a violation of the Antideficiency Act that occurred on September 30, 2008 in Account 6880118 entitled the "Abatement, Control, and Compliance Loan Program Account"; to the Committee on Appropriations.

EC-3475. A communication from the Department of State, transmitting, pursuant to law, a report relative to the transfer of detainees (OSS Control No. 2009-1785); to the Committee on Armed Services.

EC-3476. A communication from the Assistant General Counsel for Legislation and Regulatory Law, Office of Energy Efficiency and Renewable Energy, Department of Energy, transmitting, pursuant to law, the report of a rule entitled "Energy Conservation Program: Repeal of Test Procedures for Televisions" (RIN1904-AC09) received in the Office of the President of the Senate on October 21, 2009; to the Committee on Energy and Natural Resources.

EC-3477. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Change of Address for Region 4 State and Local Agencies; Technical Correction" (FRL No. 8973-6) received in the Office of the President of the Senate on October 21, 2009; to the Committee on Environment and Public Works.

EC-3478. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Stay of Clean Air Interstate Rule for Minnesota; Stay of Federal Implementation Plan to Reduce Interstate Transport of Fine Particulate Matter and Ozone for Minnesota" (FRL No. 8972-7) received in the Office of the President of the Senate on October 21, 2009; to the Committee on Environment and Public Works.

EC-3479. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "National Emission Standards for Hazardous Air Pollutants for Chemical Manufacturing Area Sources" (FRL No. 8972-6) received in the Office of the President of the Senate on October 21, 2009; to the Committee on Environment and Public Works.

EC-3480. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "National Emission Standards for Hazardous Air Pollutants From Petroleum Refineries" (FRL No. 8972-4) received in the Office of the President of the Senate on October 21, 2009; to the Committee on Environment and Public Works.

EC-3481. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; Kentucky: NOx SIP Call

Phase II" (FRL No. 8972-2) received in the Office of the President of the Senate on October 21, 2009; to the Committee on Environment and Public Works.

EC-3482. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Virginia; Revision to Clean Air Interstate Rule Sulfur Dioxide Trading Program" (FRL No. 8971-4) received in the Office of the President of the Senate on October 21, 2009; to the Committee on Environment and Public Works.

EC-3483. 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 "Inflation Adjusted Items for 2010" (Rev. Proc. 2009-50) received in the Office of the President of the Senate on October 21, 2009; to the Committee on Finance.

EC-3484. 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 "Guidance Under Section 205 Regarding Post-Death Events" (RIN1545-BC56)(TD 9468) received in the Office of the President of the Senate on October 21, 2009; to the Committee on Finance.

EC-3485. 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 "Rule 4221(e) Reciprocal Privileges" (Revenue Ruling 2009-34) received in the Office of the President of the Senate on October 21, 2009; to the Committee on Finance.

EC-3486. 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 "Guidance for Expatriates Under Section 877A" (Notice No. 2009-85) received in the Office of the President of the Senate on October 21, 2009; to the Committee on Finance.

EC-3487. A communication from the Deputy Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Medical Devices; Immunology and Microbiology Devices; Classification of Respiratory Viral Panel Multiplex Nucleic Acid Assay" (Docket No. FDA-2009-N-0119) received in the Office of the President of the Senate on October 21, 2009; to the Committee on Health, Education, Labor, and Pensions.

EC-3488. A communication from the Federal Liaison Officer, Patent and Trademark Office, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Changes in Requirements for Signature of Documents, Recognition of Representatives, and Establishing and Changing the Correspondence Address in Trademark Cases" (RIN0651-AC26) received in the Office of the President of the Senate on October 21, 2009; to the Committee on the Judiciary.

EC-3489. A communication from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, the Fiscal Years 2006 and 2007 Annual Report to Congress for the Office of Justice Programs' Bureau of Justice Assistance; to the Committee on the Judiciary.

EC-3490. A communication from the Director, National Drug Control Policy, Executive Office of the President, transmitting the availability of a report relative to the Office

of National Drug Control Policy in GAO-09-709 entitled "Firearms Trafficking: U.S. Efforts to Combat Arms Trafficking to Mexico Face Planning and Coordination Challenges"; to the Committee on the Judiciary.

EC-3491. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Suspension of Community Eligibility" ((44 CFR Part 64)(Docket ID FEMA-2008-0020; Internal Agency Docket No. FEMA-8097)) received in the Office of the President of the Senate on October 21, 2009; to the Committee on Banking, Housing, and Urban Affairs.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. LIEBERMAN, from the Committee on Homeland Security and Governmental Affairs, with an amendment:

S. 872. A bill to establish a Deputy Secretary of Homeland Security for Management, and for other purposes (Rept. No. 111-91).

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 Ms. LANDRIEU:

S. 1863. A bill to extend the temporary suspension of duty on Terrazole; to the Committee on Finance.

By Ms. LANDRIEU:

S. 1864. A bill to extend the temporary suspension of duty on 2-Mercaptoethanol; to the Committee on Finance.

By Ms. LANDRIEU:

S. 1865. A bill to extend the temporary suspension of duty on Bifenazate; to the Committee on Finance.

By Mr. KERRY:

S. 1866. A bill to amend title 38, United States Code, to provide for the eligibility of parents of certain deceased veterans for interment in national cemeteries; to the Committee on Veterans' Affairs.

By Mr. CASEY:

S. 1867. A bill to extend the temporary suspension of duty on phenyl isocyanate; to the Committee on Finance.

By Mr. CASEY:

S. 1868. A bill to renew the temporary suspension of duty on hydroxylamine; to the Committee on Finance.

By Mr. CASEY:

S. 1869. A bill to extend temporarily the suspension of duty on mixed xylidines; to the Committee on Finance.

By Mr. CASEY:

S. 1870. A bill to extend the temporary suspension of duty on trichlorobenzene; to the Committee on Finance.

By Mr. CASEY:

S. 1871. A bill to extend the temporary suspension of duty on methanol, sodium salt; to the Committee on Finance.

By Mr. CASEY:

S. 1872. A bill to extend the temporary suspension of duty on 2-Phenylphenol; to the Committee on Finance.

By Mr. CASEY:

S. 1873. A bill to extend the temporary suspension of duty on 2, 3-Dichloronitrobenzene; to the Committee on Finance.

By Mr. CASEY:

S. 1874. A bill to extend the temporary suspension of duty on titanium dioxide; to the Committee on Finance.

By Mr. CASEY:

S. 1875. A bill to extend the temporary suspension of duty on Orgasol; to the Committee on Finance.

By Mr. CASEY:

S. 1876. A bill to suspend temporarily the duty on 11-Aminoundecanoic acid; to the Committee on Finance.

By Mr. CASEY:

S. 1877. A bill to suspend temporarily the duty on dry adhesive copolyamide pellets; to the Committee on Finance.

By Mr. CASEY:

S. 1878. A bill to extend and amend the temporary duty suspension on certain thin fiberglass sheets; to the Committee on Finance.

By Mr. CASEY:

S. 1879. A bill to clarify the tariff classification of certain fiberboard core and laminate boards and panels, and for other purposes; to the Committee on Finance.

By Mr. CASEY:

S. 1880. A bill to extend the temporary suspension of duty on Chlorotoluene; to the Committee on Finance.

By Mr. CASEY:

S. 1881. A bill to extend the temporary suspension of duty on bayderm bottom DLV-N; to the Committee on Finance.

By Mr. CASEY:

S. 1882. A bill to extend the temporary suspension of duty on certain ethylene-vinyl acetate copolymers; to the Committee on Finance.

By Mr. CASEY:

S. 1883. A bill to extend and modify the temporary suspension of duty on iminodisuccinate; to the Committee on Finance.

By Mr. CASEY:

S. 1884. A bill to suspend temporarily the duty on MDA50; to the Committee on Finance.

By Mr. CASEY:

S. 1885. A bill to suspend temporarily the duty on certain air pressure distillation columns; to the Committee on Finance.

By Mr. CASEY:

S. 1886. A bill to suspend temporarily the duty on Epilink 701; to the Committee on Finance.

By Mr. CASEY:

S. 1887. A bill to suspend temporarily the duty on Nourybond 276 Modifier; to the Committee on Finance.

By Mr. CASEY:

S. 1888. A bill to extend the temporary suspension of duty on 2-ethylhexyl 4-methoxycinamate; to the Committee on Finance.

By Mr. CASEY:

S. 1889. A bill to extend the temporary suspension of duty on glass bulbs, designed for sprinkler systems and other release devices; to the Committee on Finance.

By Mr. CASEY:

S. 1890. A bill to suspend temporarily the duty on manganese flake containing at least 99.5 percent by weight of manganese; to the Committee on Finance.

By Mr. CASEY:

S. 1891. A bill to suspend temporarily the duty on standard grade ferroniobium; to the Committee on Finance.

By Mr. CASEY:

S. 1892. A bill to suspend temporarily the duty on methyl sulfonic acid; to the Committee on Finance.

By Mr. CASEY:

S. 1893. A bill to suspend temporarily the duty on Benzenamine, 4 Dodecyl; to the Committee on Finance.

By Mr. CASEY:

S. 1894. A bill to suspend temporarily the duty on N-Benzyl-N-ethylaniline; to the Committee on Finance.